
LOCAL EMERGENCY PLANNING COMMITTEE

Member's Handbook



from the State of Ohio's

STATE EMERGENCY RESPONSE COMMISSION

REVISION

August 1, 1998

NOTICE

This handbook is an official document prepared and published by the State Emergency Response Commission (SERC) for all Local Emergency Planning Committee (LEPC) members as identified in the Ohio Revised Code, Section 3750.03 (B).

Distribution of this document must be controlled. One copy is provided per individuals appointed to fill positions listed in Ohio Revised Code, Section 3750.03 (B).

LEPCs may reproduce this document to provide copies to LEPC members appointed in excess of the primary positions.

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SECTION I

SARA TITLE III (RIGHT-TO-KNOW) PROGRAM

History and Background

The Emergency Planning and Community Right to Know Act, or EPCRA, was passed as Title III of the Superfund Amendments and Reauthorization Act of 1986 (SARA) on October 17, 1986. This was almost two years after a chemical accident in Bhopal, India killed thousands, injured thousands more and received world-wide attention. Less catastrophic incidents in Institute, West Virginia and elsewhere reinforced that chemical disasters could happen in the United States.

Participants

EPCRA provides for comprehensive chemical emergency preparedness and response. This involves the coordinated efforts of industry, the local fire departments, Local Emergency Planning Committee (LEPC or Committee) and the State Emergency Response Commission (SERC or Commission). In many instances similar local or state organizations already existed. Some of these have evolved into current LEPCs or SERCs.

Congress placed USEPA in an oversight role of the EPCRA Program under the Superfund Amendments and Reauthorization Act. USEPA has built upon the SERC and LEPC relationship in other areas including the Chemical Emergency Preparedness Program (CEPP) aimed at helping industry and communities to meet their responsibilities related to potential chemical emergencies.

Legal Authority & Rules in Ohio

Emergency Planning was created as Chapter 3750 of the Ohio Revised Code (ORC) in December 1988. The federal regulations under EPCRA are listed in 40 CFR, Part 355. Ohio's implementing regulations can be found as Chapter 3750 of the Ohio Administrative Code (OAC). (The SERC provided copies of the ORC & OAC to LEPCs. Additional copies of these documents are available from Ohio EPA at minimal costs. Copies of Code of Federal Regulations (CFR), the ORC & OAC are available at most libraries or specialized book stores).

EPCRA outlines the composition, jurisdiction and responsibilities of the SERC and LEPCs and defines four basic types of reporting. (The Ohio Revised Code is identical). These are:

- a. EHS Notification and Emergency Planning
- b. Emergency Spill/Release Notification
- c. Chemical List and Annual reporting
- d. Toxic Chemical Release Reporting

A summary of each of the above, along with the appropriate federal and state citations, follows:

- a. EHS Notification and Emergency Planning (ORC Section 3750.05). A facility must notify the SERC and LEPC if it stores one or more of 356 specifically listed Extremely Hazardous Substances (EHSs, sometimes called the "SARA Chemicals"). This notice is required when the chemical(s) are processed, used or stored in excess of the chemical specific threshold quantity (TQ). Threshold planning quantities (TPQ) range from 1 to 10,000 pounds. Facilities that may be exempt from inventory reporting due to OSHA exemptions are **not** exempt from emergency planning. It provides a 24 hour per day means for the community and responders to contact appropriate representatives of EHS facilities for preplanning or emergencies.
- b. Spill/Release Required Notices (ORC Section 3750.06). A facility must *within 30 minutes*, or as soon as possible upon discovery of the spill/release, notify verbally the OEPA, the LEPC's Community Emergency

Coordinator and the jurisdictional fire department of the off-site release of any EHS chemical, CERCLA (Superfund) hazardous substance, or oil. A written, follow-up report of this spill or release must be prepared and provided to the SERC and LEPC *not later than thirty days* after the spill/release. Each substance has a chemical specific reportable quantity or “RQ” that triggers reporting. These values can be found in the current “List of Lists” or on the internet. RQs range from 1 to 5,000 pounds. “Facilities” include trucks and tankers; “oil” includes gasoline. Oil is reportable at 25 gallons or *any* quantity entering waters of the State. Spills **must** be reported upon discovery to EPA/SERC at: 1-800-282-9378 or 1-614-224-0946 and the County’s Community Emergency Coordinator. There are no exceptions to spill reporting.

c. Chemical Inventory Reporting (ORC Sections 3750.07/.08). A facility processing, using or storing the Threshold Quantity (TQ), or 500 pounds whatever is less, of an extremely hazardous substance (EHS), or 10,000 pounds of a hazardous chemical, as classified by the OSHA hazard communication standard, must notify of the presence of the chemical(s) and annually report the quantities and conditions of storage. Oil, gasoline and caustics are some examples of hazardous materials subject to the 10,000 pound “trigger”. In Ohio, there is a fee associated with annual inventory reports. The **reports** are due March 1 and **fees** are due March 31 for the prior calendar year. There are limited exceptions to inventory reporting, these exemptions are identified in the Facility Compliance Manual.

d. Toxic Release Inventory (TRI) Reporting (313/3751). Historically, *disposal* of a toxic chemical was excluded from the definitions of manufacture, process and otherwise use. For the 1998 reporting year, the definition of *otherwise use* is expanded to include use of a toxic chemical as a waste management activity. (The definition is also used and subject to the 10,000 threshold. Contact Ohio EPA, “313 Program, Division of Air Pollution Control, for more information (614-644-3608). The expanded SIC Codes are as follows:

SIC Code 10	Mining (except 1011 - iron, 1801 - metal mining services, and 1094 - uranium/radon/vanadium).
SIC Code 12	Coal/Lignite mining (except 1241 - coal mining services).
SIC Code 4911	Electric Services, 4931 - electric and other services combined, 4939 - combined utilities NEC - (limited to facilities that combust coal and/or oil for purpose of generating power for distribution in commerce.
SIC Code 4953	Refuse Systems (limited to facilities under RCRA Subtitle C).
SIC Code 5169	Chemical and Allied Products NEC, 5171 - Petroleum bulk stations/terminals.
SIC Code 7389	Business Services NEC limited to facilities primarily engaged in solvent recovery services on a contract or fee basis.

Ohio Revised Code 3750 “Emergency Planning”

The ORC Chapter 3750 defines the composition of the SERC and outlines its responsibilities. It further defines the LEPCs and outlines their responsibilities, to include positions and officers. Emergency planning also provides for the types of reporting and other provisions as needed. SERC has furnished each LEPC copies of ORC Chapter 3750. The following section numbers and headings identify subject items in ORC Chapter 3750 (Jun 94):

- 3750.01 Definitions
- 3750.02 Emergency Response Commission; members; meetings; powers and duties; rulemaking powers.
- 3750.03 Emergency planning districts; local emergency planning committees.
- 3750.04 Chemical emergency response and preparedness plan.
- 3750.05 Applicability; facility representatives; notice of applicability; provision of information; agricultural producer exemption.
- 3750.06 Required notices.
- 3750.07 List of hazardous chemicals; material safety data sheet.
- 3750.08 Emergency and hazardous chemical inventory form.
- 3750.09 Protection of trade secrets.
- 3750.10 Access to information.
- 3750.11 Enforcement of local rules; emergency response lock box units.
- 3750.12 Fire Marshal; rules governing labeling at bulk storage areas.
- 3750.13 Filing Fees.

- 3750.14 Emergency planning and community right-to-know fund.
- 3750.15 Emergency planning and community right-to-know reserve fund.
- 3745.16 Entry upon private property for inspection or investigation.
- 3750.17 Prohibitions.
- 3750.18 Orders.
- 3750.19 Environmental board of review; appeals.
- 3750.20 Civil actions; injunctive relief; investigations; penalties.
- 3750.21 Liability for violation of confidentiality of trade secrets.
- 3750.99 Penalties.

Ohio Administrative Code - “Rules as Adopted Under Chapter 3750 (ORC)”

The Ohio Administrative Code contains “Rules” adopted to implement the provisions of ORC Chapter 3750. Rule 3750-1-02 describes the purpose of the rules as follows:

“The purpose of these rules is to establish the Commission, and the Committees and Emergency Districts to implement, administer and enforce in conjunction with the USEPA, Ohio EPA and Local Fire Departments, the Federal ‘Emergency Planning and Community Right-To-Know Act’ in this state”.

The Rules help further explain the intent of the law. They are developed as mandated by the law and as needed to clarify the program.

The SERC has provided all LEPCs copies of the Ohio Administrative Rules as adopted under Chapter 3750 (ORC). These are also available in most libraries at your County Prosecutor’s office.

Attachment #1 provides an index of the Right-To-Know Rules as adopted under ORC Chapter 3750.

SECTION II

ORGANIZATION AND ROLE OF THE STATE EMERGENCY RESPONSE COMMISSION

General

The EPCRA requires that the Governor of each State designate a State Emergency Response Commission (SERC). The SERC is responsible for adopting rules and procedures to implement the program statewide. Specific responsibilities include:

1. Creation of planning districts and Local Emergency Planning Committees (LEPCs) and general oversight of their membership and functions (Appropriate membership, officers, meeting frequency, meeting minutes).
2. Planning and exercise guidance and assistance to the LEPCs.
3. Receipt, organization, storage and public access to EHS, inventory and release reporting, and planning information.
4. Management of filing fees including collection, accounting, and disbursement to the LEPCs.
5. General program guidance and assistance to LEPCs.
6. Point of contact for LEPCs, other government and interest groups, including State and Local Government Commission, County Commissioners Association, USEPA and DOT.
7. Educate and assist industry with reporting requirements.
8. Encourage compliance with all aspects of the program.

Specific Organization of Ohio SERC

The Ohio Legislature reconfigured a state emergency response commission created under executive order to its current form. The nineteen member body consists of nine State Agency members. They are included on the SERC as representatives of their State office. As specified in 3750.02(A), these are:

Environmental Protection	State and Local Government Commission
Health	Fire Marshal
Bureau of Employment Services	Ohio Emergency Management Agency
Public Utilities	Attorney General
Workers Compensation	

Ten additional representatives are appointed by the Governor with the advice and consent of the Senate and in consideration of the recommendation of various advocacy groups. Appointed members serve a two year term. These members represent:

Environmental Advocacy Organizations (2)
Firefighter Organizations (3)
Petroleum, Refiners, Marketers or Chemical Manufacturers
Non Chemical/Oil Manufacturers
Local (County) Emergency Management Agency
County Government
Municipal Corporation

In addition, the Chairs of the House and Senate Energy and Environmental Committees serve as ex-officio (non-voting) members of the SERC.

The SERC meets bi-monthly. The Directors of Ohio EPA and Ohio EMA Co-Chair the Commission.

The Legislature created an executive committee for limited SERC functions (enforcement, etc.) and enabled the SERC to form additional committees as desired or necessary. Currently much of SERC's work is accomplished through four committees which typically meet on the off-months from the SERC meetings. These committees are:

Administration and Funding
LEPC Relations
Planning and Exercise
Training & Education

SERC has no employees per se. It draws upon the staff of three member agencies for substantial technical and administrative support. SERC provides limited funding to these agencies through an annual grant. The support agencies receiving funding are:

Ohio Emergency Management Agency - Provides planning, exercise, and training guidance and assistance.

Ohio Environmental Protection Agency - Provides program guidance, file management, spill reporting and fund handling, including grant disbursement.

State Fire Marshal - Provides Hazmat response training as coordinated through the State Fire Academy and its various outreach programs.

SECTION III

LOCAL EMERGENCY PLANNING COMMITTEE (LEPC)

General

The law provides (in ORC Section 3750.03) that the LEPC is the local emergency planning body of an emergency planning district as established by the SERC. In Ohio, a district, according to ORC Section 3750.03(A), is defined as a County. The law allows two or more counties to form a joint emergency planning district. In Ohio, Montgomery and Greene Counties have formed the only joint emergency planning district.

Members of the LEPC represent the various organizations, agencies, departments, facilities and/or other groups within the district. Each member must realize that he or she represents their organization on the LEPC and that they are responsible for coordinating information and activities from the LEPC to their organization and for providing accurate feedback from their organization back to the LEPC.

The LEPC has many responsibilities, mandates, and deadlines. The membership should organize to handle these various tasks by utilizing individual efforts, sub-committees, or contracted assistance.

All personnel who have accepted membership on the LEPC have an obligation to the LEPC to become familiar with the various laws, rules, and other documents used in the EPCRA program in Ohio so they can contribute to the LEPC and fully represent their group or organization successfully on the LEPC.

Appointment of the LEPC Members

Under ORC Section 3750.03(B) the County Commissioners are responsible for nominating prospective LEPC members by submitting a list of persons, with a brief resume on each nominee listing their qualifications to serve in the position nominated, to the SERC for their appointment. The Chief Elected Officials (CEO) of the County, the Commissioners, may also be members of the LEPC. (*Forms used for nominating members can be found in the LEPC Procedure Manual, Section #7*).

Upon receipt of the list of persons and resumes from the County Commissioners, and following an administrative review to insure the nominees are qualified to fill the position they are being recommended to fill, the SERC will, by Resolution, appoint the members of the LEPC.

Term of Office. LEPC members are appointed for a period of two years, normally August to August on the **odd-numbered** years. Members may be reappointed for additional term(s). Any vacancies which occur must be filled in the same manner as the original appointments. Person(s) appointed to fill a vacancy shall hold the office only for the remainder of the term.

Removal from the LEPC. In accordance with ORC Section 3750.03(B), the LEPC, by two-thirds vote, may at any time remove a member for misfeasance, malfeasance or nonfeasance, or at the request of the LEPC, the SERC may remove a member for any of those reasons.

Authority of the LEPC. An LEPC shall be considered a **county board** and shall receive the services of the county auditor and county prosecuting attorney.

Immunity for LEPC Members. Members of an LEPC who have been properly appointed by the SERC are entitled to limited immunity from criminal prosecutions, civil suits, and actions for removal from office or employment for violations of ORC Chapter 102, 2921.42 or 2921.43 in circumstances prescribed by ORC Chapter 102.08 (OAG 91-014).

LEPC Responsibilities and Functions

Each LEPC member should understand the following provisions of ORC Section 3750.03(D) and (E) as these statements outline the LEPCs duties, tasks, and responsibilities. ORC Section 3750.03(D) states each LEPC **shall** accomplish certain tasks as stated below:

- ~ Appoint a chairperson, and vice-chairperson and a secretary to keep a record of its proceedings. The positions of Chairperson and Vice-Chairperson *are selected by the voting members of the LEPC membership*. The secretary can be appointed from the membership or be a non-member hired to be the LEPC Secretary.
- ~ Adopt by-laws for conducting business.
- ~ Appoint an **Information Coordinator** who shall be responsible for coordinating and maintaining the LEPC's files of information obtained under this chapter (ORC Chapter 3750), and rules adopted under it, and for receiving and fulfilling requests from the public for that information. The person selected for this position must be accessible to the public to provide information during normal business hours (i.e. the EMA, fire or law representative, Commissioner, or other available individual).
- ~ Appoint a **Community Emergency Coordinator** who shall be responsible for coordinating the development and implementation of the chemical emergency response and preparedness plan of the district, and for receiving verbal and follow-up written notices of releases of hazardous substances and extremely hazardous substances (EHS) provided under ORC Section 3750.06. The key words in this position of the law are **implement-ation of the plan** and **receiving verbal and follow-up notices of releases**.
- ~ Obtain anything to be purchased, leased, leased with an option or agreement to purchase, or constructed, in accordance with the provisions of ORC Sections 307.86 to 307.92 applicable to boards of county commissioners.
- ~ Establish and carry out a program to monitor regulated facilities within the district, and to conduct compliance and enforcement activities to insure that the facilities have submitted the information required by ORC Sections 3750.05, .07 and .08. Not later than the first day of October of each year, each LEPC **shall** submit a summary report of the compliance and enforcement activities of the LEPC during the previous calendar year.

Under provisions of ORC Sections 3750.04(A)&(B), the LEPC **shall** prepare and submit to the SERC a chemical emergency response and preparedness plan and annually thereafter (not later than October 17th) shall submit the plan, or plan updates, for review and concurrence. Under provisions of ORC Section 3750.04(C), each LEPC **shall** conduct an exercise of its plan at least annually.

ORC Section 3750.03(E) states the LEPC **may**:

- ~ Receive and accept from any public and private source, which include; gifts, grants or contributions of money, services of personnel, and real or personal property for their use.
- ~ Appoint and fix the compensation of employees necessary or appropriate to perform the functions of a committee. This could include paying a secretary or compensating a person for conducting site hazard analysis.
- ~ Request, in writing, that SERC designate an additional facility within the district as being subject to the emergency planning and notification requirements of ORC Sections 3750.04 and .05. This might occur if a facility poses a significant threat due to its location and materials on hand.
- ~ Enter into agreements with the board of health, a political subdivision agencies, and others. These agreements shall specify the powers, functions, and services of the LEPC that the board of health, political subdivision, a county-wide emergency management agency, or others is authorized to exercise, perform, or render.

~ By Committee Resolution, adopt rules establishing requirements for reporting or providing the names and amounts of EHS or hazardous chemicals produced, used, or stored at facilities within its emergency planning district.

~ Enter into contracts with persons for the development or provision of the training programs, seminars, or other forms of educational programs that are required to be included in the plan of each district under ORC Section 3750.04(A)(11).

~ Do all things necessary, incidental, or appropriate to perform the duties and exercise the powers of a committee under Chapter 3750 of the Revised Code, the rules adopted under it, and under the Emergency Planning and Community Right-To-Know Act of 1986 100 Stat. 1729, 42 U.S.C.A. 11001 and the regulations adopted under it.

LEPC Meetings and Operations

ORC Section 3750.03 directs that the LEPC meet at least annually. The SERC does expect the LEPC to conduct regular meetings and this is included in SERC's annual evaluation of the LEPC's performance. For the LEPC to be successful, it must meet regularly to work on and complete its assigned duties. Bi-monthly or quarterly meetings seem to work best for most Counties, with the LEPC's Sub-Committees meeting in between the full LEPC meetings.

Under the "Sunshine Law", all LEPC meetings, Sub-Committee Meetings, and activities are considered "public" and such functions must be publicly noticed 72 hours in advance so that all interested parties may attend if they so desire.

Meetings should follow an organized format. Robert's Rules, or some other guidelines, should be utilized. Members should decide on the time, date, and length of regular meetings, and the LEPC Chairperson (or Vice-Chairperson) should insure that the meetings are held to that length. Meeting announcements should be sent to each member at least seven (7) days prior to the meeting. *See Attachment #3, "Guidelines for Better Meetings."*

Agendas for all meetings are essential and help keep the LEPC focused on the tasks at hand. The Chairperson (or Vice-Chairperson) should remember that all members are volunteers and their time should not be wasted. Agendas will serve that purpose.

Each LEPC Officer and member should be fully prepared for the meeting. The meeting should start on time, follow the agenda, curtail non-subject conversations, and insure that minutes are taken. At the close, summarize activities, insure tasks assigned to individuals are understood. Set the date, time and topics for future meetings and close the meeting on time. (*See Attachment #4, "Guidelines for Being a Better Participant"*).

Minutes of the meetings **are required** and must be prepared. Minutes should be mailed to all members soon following each meeting and a LEPC file copy maintained for at **least three years**. The SERC has requested a copy of the minutes for their records. Formal Sub-Committee records should also be prepared and submitted to the LEPC Chairperson and Secretary following each Sub-Committee meeting.

Appointment of Sub-Committees

Sub-Committees can be very useful to the successful operation of the LEPC. Appointment of Sub-Committees permits the LEPC leaders to form small groups that focus on specific tasks.

Sub-Committees can be staffed by all LEPC members or a mix of members and non-members. For instance, the LEPC's Media Representative could work with various media, agencies, and facility personnel to develop a Public Hazardous Materials Information Program. A LEPC member should be responsible for maintain-ing records of the Sub-Committee's meetings and accomplishments, and for making recommendations to the LEPC.

Common Sub-Committees utilized are: Executive, Financial, Training and Education, Planning and Exercise, Hazards Analysis, Compliance and Enforcement.

The Chairperson should ensure that each Sub-Committee be given understandable guidance and direction. Their tasks and accomplishments should be recorded and made part of the LEPC's official records. These reports should be presented at regular LEPC meetings to insure a record of the groups progress, and for documentation purposes.

Adoption of By-Laws

ORC Section 3750.03(D)(2) requires all LEPCs to develop By-Laws to formally outline how the LEPC will function and conduct business. The LEPC may use their own format when writing the By-Laws.

The By-Laws should include such items as: Purpose, Membership, Sub-Committees, Quorums, Public Notices, Meeting Proceedings (Minutes, records), Planning and Exercising, and other subjects as desired..

The By-Laws should be reviewed by the County Prosecutor prior to being adopted by the LEPC. Copies of the adopted By-Laws must be provided to the SERC.

Examples of By-Laws can be obtained from the SERC by contacting the Ohio EPA's Right-To-Know Office. Also another source would be a similar sized LEPC.

Maintenance of Committee Records and References

The LEPC is responsible for maintaining accurate records and files. The LEPC will receive a considerable volume of mail, much of which is very important material. All of this information should be carefully reviewed, acted upon, and subsequently filed.

The **LEPC Information Coordinator** is the person designated to receive and process the LEPC's mail. This person must review all mail promptly, share it with the Chairperson who in turn needs to share it with the membership at the earliest possible opportunity.

The **LEPC Secretary** is responsible for maintaining files, preparing correspondence, preparing meeting announcements and agendas, taking and typing the minutes, and other duties as required.. This person should work closely with the Information Coordinator.

The LEPCs are continually receiving mail which contains everything from official SERC letters and grant packages to various publications. Some of the material will have suspense dates. The majority of the material received will require some action by the LEPC. Procedures must be established to insure that materials received are handled in a prompt and timely manner, that people who need to see it have the opportunity, that it is safeguarded, actions are taken, and finally filed for future reference.

The SERC, as well as other agencies such as Ohio EPA, Ohio EMA, and State Fire Marshal (SFM), periodically provide the LEPC with copies of reference or training materials. These are expensive and need to be maintained for future reference and use. Some of the materials will be distributed one time only and it would be impossible to obtain additional copies, therefore, safeguards such as a permanent library, with sign-out sheets for accountability should be used (*See Attachment #5, "Listing of Legislation, Regulations, Publications, and Other Materials"*).

It is essential for the LEPC to have an office, appropriate file and library space, adequate office equipment, and staff to permit them to properly conduct their business. Co-locating the LEPC with the EMA office is beneficial to both as the files, plans, and records would be readily available during an incident or whenever needed. Some office equipment could also be jointly used.

Funding

ORC Section 3750.03(E)(1) states the LEPC may "receive and accept from any public or private source for the purposes of this chapter, gifts, grants or contributions of money, services of personnel, and real or personal property for their use."

It is essential the LEPCs have funding resources available to pay for the various items needed to operate and accomplish the many requirements placed on it. The following information and sources of funds are identified for your information.

1. SERC Grant

EPCRA was mandated by the federal government but it lacked a funding mechanism. When the Ohio General Assembly passed Chapter 3750 into law it made provisions for the collection of annual fees from the various facilities which produce, use or store extremely hazardous substances (EHS).

ORC Section 3750.14 established guidelines for funding. Funds are distributed annually based on a formula established by SERC Resolution. (Currently, LEPC receives 75%, SERC receives 20%, Fire Departments [Submitted along with the LEPC's Grant Application] receives 5% of total fees received).

The SERC annually distributes the Grant application package in December. Completed applications from the LEPC and Fire Departments (combined) are due February 1st. Grants are typically distributed to the LEPC in August.

The SERC grant, and other funds secured by the LEPC, will be given to the County Treasurer. The County Auditor will establish a special emergency planning fund for the LEPC of the County in accordance with the Ohio Revised Code. This fund will be "administered by the Committee **only** for purposes of carrying out the powers and duties of the LEPC under ORC Section 3750.03 and rules adopted and orders issued under it." (ORC Section 3750.03(F)).

There are spending limitations as denoted by ORC Section 3750.14D and SERC Rules. Additionally the grant funds are subject to periodic audits by the State.

2. Other Grants

The LEPC can obtain or use any number of other grants which are available. The LEPC should be prepared to take full advantage of these grants when they are offered. Several on-going grants are described below:

a. **PUCO Hazardous Materials Training Grant.** This grant is available for training of public safety and emergency services personnel in the proper techniques for the management of hazardous materials spills and releases. Political subdivisions (which include the LEPC) are given first priority. PUCO will accept applications throughout the year.

b. **Hazardous Materials Emergency Preparedness Grant (U.S.DOT/HMEP)**

The U.S. Department of Transportation (DOT) regulations began providing for planning and training grants in 1993. The grant is called the Hazardous Materials Emergency Preparedness Grant and is referred to as the HMEP Grant. Funds come from hazardous materials transportation fees which are collected by U.S.DOT, from hazardous materials transporters, and are distributed to the states, tribes and territories according to a formula. In Ohio, the funds are awarded to the Ohio EPA who acts as the grant manager for the SERC.

Each state receives two allocations; one for planning and another for training. Federal regulations require:

(1) That 75% of the funding for "Planning" be provided to the LEPCs to assist in planning activities, such as; plan development, hazards analysis, commodity flow studies, and exercises.

(2) That 75% of the training grant "benefit" be provided the public sector response personnel.

The remaining 25% of the funds received can be kept by the state to administer the program. The SERC usually keeps 10% and the remainder is utilized to support planning and training efforts

The HMEP grant is a "reimbursement grant". This means that the LEPC must utilize their SERC grant money, or other local funding, to initially fund the planning or training activity. The procedure is as follows:

LEPC Applications for HMEP Grants are sent to LEPC Information Coordinators in August annually. The LEPCs forward their requests, listed on 'work sheets' by quarter, for the "planning" grants to OH EMA and the requests for "training" grants to the State Fire Marshal. The LEPCs will then be informed, by SERC, of the grant amount(s) they are awarded.

Upon completion of a qualifying planning or training activity, the LEPC submits a reimbursement request, which is provided in the application package, through the OH EMA (for Planning) and the State Fire Marshal (for Training) for review and approval. These agencies forward the approved reimbursement requests to the grant manager (OH EPA) for an 80% reimbursement of the cost. The guidelines set forth by SERC's "*Guide-lines for Public Sector Hazardous Materials Training*" are used to 'qualify' the training requests.

By regulation, not more than 5% of the grant funds can be spent for purchase of equipment. Also, any unexpended funds **cannot** be "carried over".

LEPC Recognition Award

The SERC developed a set of ten criteria to evaluate the LEPC's overall performance and award those LEPCs which meet these requirements with an award called the **LEPC Recognition Award**. The intent of this annual award is to recognize the efforts of the LEPC to meet the ten criteria. *Attachment #6 lists the ten criteria used for this award.*

The awards are presented at a meeting or conference to gain the maximum amount of recognition for the LEPCs, ie., at The County Commissioners Association of Ohio meeting, the Annual LEPC Conference or an LEPC Meeting.

INTERNET References. There is information available on the Internet. Check the *LEPC Information Exchange*
- URL: <http://www.lepcinfoexchange.com> Webmaster: Ruth Schelhaus, rschel@annap.infi.net

SECTION IV

EMERGENCY PLANS AND REVIEWS

General

ORC Section 3750.04 requires each planning district to develop a chemical emergency response and preparedness plan. The following is a brief description that explains the emergency planning process and the LEPC member's responsibility in this process.

State Emergency Response Commissions Responsibilities ORC Section 3750.02 directs that the SERC shall:

- Prescribe the information to be included in the chemical emergency response and preparedness plans prepared and submitted by LEPCs.
- Establish criteria and procedures for reviewing the chemical emergency response and preparedness plans of LEPCs and the annual exercise of those plans and for providing concurrence or requesting modifications in the plans and the exercise of those plans.
- Establish policies and procedures for maintaining information submitted to the SERC and LEPC.
- Ensure that the LEPC's Plan is coordinated with adjoining planning districts.

LEPC Planning Responsibilities

LEPCs shall, by October 17 of each year, submit their Chemical Emergency Response and Preparedness Plan for review. Reference Ohio Planning and Exercise Guide.

Legal Requirements for the Plan

ORC Section 3750.04(A). In accordance with this section, the LEPC shall prepare and submit to the SERC a Chemical Emergency Response and Preparedness Plan for the District. The Plan shall contain all of the following minimum requirements:

1. Identification of each facility within the district that has an extremely hazardous substance (EHS) present at the facility in an amount that exceeds the threshold planning quantity (TPQ) for the substance.
2. An identification of all facilities within the district that are contributing or subjected to additional risk due to their proximity to facilities identified under paragraph one above. This is accomplished by the LEPC completing a hazards analysis for each EHS site. The analysis will help identify which additional sites are at risk or add to the risk.
3. An identification of routes likely to be used for the transportation of EHS to and from each EHS facility identified under number one above.
4. The methods and procedures to be followed by owners and operators of facilities identified under 1. above and by local emergency response and medical personnel to respond to releases of EHS. LEPCs will have to inquire regarding these methods and procedures or obtain facility plans which outline them. OSHA requires the facilities to have emergency plans under 29 CFR 1910.120.
5. The designation of a **community emergency coordinator** for the district, identification of the **facility emergency coordinator** for each facility identified under number one above, and identification of the **heads of emergency response organizations** for designated areas or political subdivisions within the district.

6. Identification of procedures for reliable, effective, and timely notification and communications among emergency responders within the district and to the public in the event of a release of an EHS from a facility identified under number one above.
7. Development of methods for determining the occurrence of a release of an EHS from each facility identified under number one above and for identifying the geographical area or population likely to be affected by such a release.
8. A composite statement of specialized equipment, facilities, personnel, and emergency response organizations available within the district to respond to releases of EHS.
9. Development of evacuation plans including, but not limited to, provisions for a precautionary evacuation and for alternate traffic routes in the event of a release of an EHS from a facility identified under division (A)(1) of this section.
10. A plan for mutual aid to other emergency planning districts and for the allocation of emergency response facilities, equipment, and personnel for responding to releases of EHS.
11. A plan for the development or provision of training programs, seminars, and other forms of educational programs for the personnel of facilities identified under division (A)(1) of this section, emergency response personnel of political subdivisions within the district, and medical personnel.
12. Development of methods and schedules for exercising the plan.
13. Such other information as the SERC requires by rules adopted under ORC Section 3750.02(B)(2)(a), i.e., that each plan shall have a Table of Contents indicating location of the minimum requirements, that the Ohio Hazardous Materials Planning and Development Document is to be used as guidance in the development of the plan, that the plan is coordinated with plans of adjoining districts and, that each LEPC shall annually, or more frequently if needed, review the plan of the district.

ORC Section 3750.04(B). States that the LEPC annually shall submit the plan (or plan updates) to the SERC not later than the seventeenth day of October and that the SERC shall review the Plan to ensure that it complies with ORC Section 3750.04(A) and the Rules adopted under ORC Sections 3750.02(B)(2)(a) and (b).

Ohio Administrative Code (OAC) -Rules as Adopted Under Chapter 3750 (ORC). The following rules have been adopted regarding the Plan:

Rule 3750-20-01: Identifies the type of facilities which must be included in the District's Plan, i.e., (1) A facility which has an EHS present in an amount equal to or exceeding the threshold planning quantity (TPQ), and (2) a facility which has been designated as an 'Additional Facility' in accordance with ORC 3750.05.

Rule 3750-20-05: Sets forth requirements of a subject facility, as identified in Rule 3750-20-01 above, to designate a "Facility Emergency Coordinator", to inform the LEPC of any changes occurring at the facility, and to provide any information requested by the LEPC necessary for the development of emergency plans.

Rule 3750-20-72: States the SERC and the LEPCs shall use, at a minimum, the NRT-1 Document (Hazardous Materials Emergency Planning Guide) and subsequently published documents authorized in Section 303(f) of the "Emergency Planning and Community Right-To-Know Act of 1986" as guidance in preparing the Chemical Emergency Response and Preparedness Plans.

Rule 3750-20-74: Addresses the review of plans and states that: SERC has designated the Ohio EMA to conduct initial and annual reviews required under ORC Section 3750.04. Each plan will have a Table of Contents. The SERC shall provide, through the Ohio EMA, guidance in the development of the plan. The SERC shall require, for a determination and issuance of an *order of concurrence*, following the review of an LEPC's chemical emergency response and preparedness plan, that the plans contain all of the minimum plan requirements as identified in ORC Section 3750.04(A) and the SERC shall require, for a determination and issuance of an *order refusing to concur* following the review of the LEPC's chemical emergency response and preparedness plan, that the plan did not contain all of the minimum requirements as set forth in ORC Section 3750.04(A).

Hazards Analysis of the District

Key to the proper development of your district's hazardous materials plan is the knowledge, understanding and analysis of the various chemical threats to your district and from surrounding districts.

Most planning districts will have several areas of concern when considering the threat, for instance: fixed facilities which use, produce or store hazardous or extremely hazardous chemicals; highways, railroads, transmission pipelines; and maybe rivers, harbors, docks and airports.

The LEPC must determine which hazards exist in the district and then evaluate them by completing a hazards analysis for each facility and hazard. Most LEPCs have by now completed their initial analysis and most have developed a workable process and have personnel who understand how to update the analysis.

EHS facilities are required to be addressed. Other hazardous substances such as gasoline, natural gas, propane, and other "everyday chemicals" should also be considered.

Facilities that use, produce or store chemicals must report annually to the SERC (March 1) and must provide copies of their reports to the LEPC and the fire Department which covers their location(s). The LEPC, should through one of its Sub-Committees, review these reports for changes, omissions, upgrades, etc. and change their hazards analysis and update their plan accordingly.

There are at least two computer software packages available which can assist the LEPC with the analysis and management of information. *See Attachment #7 for information on the CAMEO and ARCHIE computer software.*

Acceptable Plan Formats

The LEPC has the option of how to format its plan:

- a. **Stand Alone Plan.** A complete plan in itself and addresses all requirements of the law and does not rely on and, is not part of other already established plans such as the County's Emergency Operations Plan (EOP).
- b. **Hazardous Materials Annex/Appendix.** Uses the EOP as a base document. A Hazardous Materials Annex/Appendix is added to fulfill the requirements of ORC Section 3750.04 which are not addressed in the EOP.

Reference Material

There are numerous hazards analysis reference documents published by USEPA, FEMA and DOT and distributed by SERC to all Ohio LEPCs. These include:

- a. **Technical Guidance for Hazards Analysis.** This guide, known as the "**Green Book**," was designed to help LEPCs conduct site specific hazards analysis for airborne releases of Extremely Hazardous Substances.
- b. **Handbook of Chemical Hazard Analysis Procedures.** Known as the "**Brown Book**," this document, developed by USEPA, FEMA and DOT, expands on NRT-1 and the Technical Guidance for Hazards Analysis by including information for explosive, flammable, reactive and otherwise dangerous chemicals, and transportation hazards.

The SERC has provided copies of the ORC Chapter 3750 and the Rules as Adopted Under Chapter 3750 of the Ohio Administrative Code to all LEPCs for their reference.

NRT-1 Hazardous Materials Emergency Planning Guide

This document was published by the National Response Team to provide national guidance for the development of state and local districts hazardous materials emergency response and preparedness plans.

Chapter 3 of NRT-1 provides an excellent discussion of the **tasks of the planning team** and identifies review of existing plans, hazards analysis, assessment of preparedness, prevention and response capabilities, and the development of an ongoing program for plan implementation as the major tasks of the LEPC's planning team.

Note the emphasis on the planning team and teamwork by the LEPC members. To be effective and successful, the use of an LEPC planning team is essential.

Ohio Hazardous Materials Development and Evaluation Document

This document, also known as the "Crosswalk" or "Cross Reference," provides planning guidance to be used by all LEPC members to insure the plan addresses all legal planning requirements.

The document will also be used by the Ohio EMA Hazmat Planner who will evaluate the LEPC's plan for the SERC.

The LEPC should complete this document as they develop or review their plan to insure that all areas have been considered, discussed and proper entries made in the plan. A completed copy of the Ohio Hazardous Materials Development and Evaluation Document should be forwarded, with the plan, in accordance with the thirteenth plan-ning requirement of ORC Section 3750.04(A).

Ohio Hazardous Materials Planning and Exercise Guidance

This booklet was developed to provide the LEPCs guidance on Planning and Exercising the Plan. The booklet contains two chapters. Chapter One is entitled "**Guidance for the Submission of the County's Chemical Emergency Response and Preparedness Plan**" and it's various sections address:

Section I, Introduction	Section V, SERC Actions
Section II, Authority	Section VI, Informal Reviews
Section III, Standard of care	Section VII, Summary.
Section IV, Review and Evaluation Process	

Chapter One spells out in clear language the LEPCs responsibilities and activities and provides you, the LEPC member, an easy to understand presentation of planning activities and requirements.

Chapter Two is entitled "**Guidance of Exercising the County's Chemical Emergency Response and Preparedness Plan**" and it's various sections address:

Section I, Introduction	Section V, The Exercise Evaluation Process
Section II, Authority	Section VI, Post Exercise Responsibilities
Section III, References	Section VII, Other Information
Section IV, The Exercise Development Process	Section VIII, Conclusion

Ohio EMA has provided copies of this guidance booklet to all LEPCs.

Plan Reviews and Evaluation Process

The SERC is required to establish criteria and procedures for reviewing the chemical emergency response and preparedness plans.

The SERC designated the Ohio Emergency Management Agency as SERC's Plan Review Team, to conduct initial and annual plan reviews. The Ohio EMA has five Hazardous Materials Planners. One is designated for your planning district and will be responsible for conducting the official review of the plan.

The Planner will review the plan utilizing the Ohio Hazardous Materials Plan Development and Evaluation Document and will make a recommendation to the SERC for concurrence or non-concurrence.

If the SERC issues an Order of Concurrence, the plan has been evaluated to have met all of the minimum requirements and does not require any further actions.

If the SERC issues an Order Refusing To Concur, with the plan the LEPC will be directed to submit a modified plan **within a period not exceeding sixty (60) days** after issuance of the order.

Informal Review and Planning Assistance

Informal reviews are provided, by the LEPC's designated Ohio EMA Hazmat Planners, to assist the LEPC with an informal (off the record) evaluation of an entire plan or a portion of a plan.

Section VI, of Chapter One, Ohio Hazardous Materials Planning and Exercise Guide, provides information on how informal reviews of the plan may be requested and are conducted. These reviews can be requested at any time by the LEPC regardless of the status of the plan. There is no limit on the number of requests for informal reviews allowed.

If the results of the informal review indicate that the plan has met all thirteen minimum plan requirements the planner may, with the LEPCs concurrence and request, change the evaluation to a formal review and forward a recommendation to SERC for issuance of an Order of Concurrence.

Sample Plan/Annex

Ohio EMA has examples of County Emergency Operation Plans and Hazardous Materials Appendices. LEPCs that desire to obtain these should contact the designated Hazmat Planner for their County.

Standard of Care

In general, Standard of Care is the level of professional competency anticipated or mandated, and demonstrated in the performance of a service or of a duty. This Standard of Care is not found in any one document. The "competency" the definition talks about is derived from all applicable laws, regulations, standards, and guidance documents. This is true for any profession, such as doctors, lawyers, and architects, as well as for emergency planners and emergency responders.

Because laws, regulations, standards, and guidelines are always evolving, as new knowledge changes accepted practices, so the Standard of Care for any profession is also always evolving. This growth, development and change has resulted in many upgrades in laws, rules, and regulations, as well as standards for planning, training and equipment provided for personnel.

The Standard of Care that LEPCs must consider includes the requirements and guidance of ORC Chapter 3750, the various Rules adopted under 3750, Ohio's Hazardous Materials Plan Development and Evaluation Document, and the guidance contained in the Hazardous Materials Emergency Planning Guide (NRT-1).

For a more detailed discussion of the Standard of Care see the video entitled "Liability Issues in Emergency Management" (VT 305.11). Copies have been distributed to all Ohio counties. Other discussions can be found in the "Liability Issues in Emergency Management:" (305.11) manual and video. Also in the student manual from the course entitled "Hazardous Materials: An Introduction for Public Officials" (SM 300).

SECTION V

EXERCISING THE PLAN AND EXERCISE EVALUATION

General

ORC Section 3750.04(C) states that “Each LEPC shall conduct an exercise of its plan at least annually.”

Each LEPC therefore must develop and conduct an exercise to test and validate the various plan sections which relate to the local agencies, departments, and organizations within the district to satisfy exercise requirements of the Ohio Revised Code.

Legal Requirements for Annual Exercise of the Plan

In accordance with ORC Section 3750.04(C), each LEPC **shall** conduct an exercise of its plan at least annually. The LEPC shall notify the SERC at least thirty days before each exercise (by mailing the **LEPC Exercise Notice** to Ohio EMA).

The SERC shall review each exercise in accordance with the rules adopted under ORC Section 3750.02 (B)(2)(b) and shall either concur with the conduct of the exercise or direct the LEPC to make modifications in the exercise of the plan in accordance with those rules.

Ohio Administrative Code (OAC) - Rules as Adopted under Chapter 3750.

Rule 3750-20-70 - Exercise definitions.

Rule 3750-20-76 - Types of exercises. Describes the types of exercises which may be used by the LEPC, i.e., Tabletop, Functional and Full Scale.

Rule 3750-20-78 - Execution of exercises. Describes the execution of exercises by the SERC and LEPC; denotes a four year exercise cycle; gives the SERC/LEPC the option of which types of exercise to conduct; states that all exercise objectives must be exercised in the four year cycle; states the exercise will involve a fixed facility or a transportation source; directs use of the LEPC Exercise Notice (30 day notice).

Rule 3750-20-80 - Review of exercises. States that Ohio EMA will conduct reviews of annual exercises; that exercises are limited to those districts which have plans which have been reviewed; for SERC Order of Concurrence, a report is needed indicating that a majority of the points of review for each objective selected were met; for SERC Order Refusing to Concur, an exercise report is needed indicating that a majority of the points of review were not met; requirements for actual incident credit.

Rule 3750-20-82 - Issuance of exercise orders by SERC. States that representatives of the SERC (Facilitators) will review all exercises and make recommendations for revisions, *based on the evaluators findings*, to the SERC; a report on each exercise observed and reviewed shall be produced by the representative (Facilitator), and submitted thru Ohio EMA, to the SERC within thirty (30) days following each exercise; each report shall include a synopsis or general statement on the results of the exercise, recommendation for plan improvement and suggested areas for corrective action, and specific reasons for failure to adequately demonstrate a majority of points of review within each selected objective; upon receipt of the exercise report the SERC shall issue an Order of Concurrence or an order Refusing to Concur with the conduct of an exercise, in accordance with ORC 3750.18, in a timely manner; upon receipt of an order Refusing to Concur the LEPC will have one hundred twenty (120) days to demonstrate, to the satisfaction of the SERC, actions taken or to be taken, to correct objectives which were not met according to the report.

Rule 3750-20-84 - Public Review of Plan Exercises. States that the LEPC shall discuss the conduct and review of each Full Scale exercise at a meeting open to the public in accordance with OAC 121.22 (Sunshine Law) and that the meeting will include a discussion of issues concerning the exercise and public commentary.

Exercise Guidance and Evaluation Documents

There are various courses, exercise guidance, and evaluation documents available to assist the LEPC with exercises. The following are available now to all LEPCs:

Ohio Hazardous Materials Planning and Exercise Guidance. This document contains summary guidance for exercising the County's Hazmat Plan.

Ohio Hazardous Materials Exercise Evaluation Manual (OHM-EEM). This document outlines SERC/LEPC responsibilities, types of exercises, how to develop the exercise, use of exercise control personnel, activities to consider before, during and after the exercise, the exercise objectives and points of review, the LEPC Exercise Notice, and how to claim an actual incident for exercise credit.

NRT-2, "Developing a Hazardous Materials Exercise Program" was developed by the National Response Team (NRT) and provides basic guidance regarding exercise development, conduct of play, and post exercise activities.

LEPC Responsibilities

As noted, ORC Section 3750.04(C) requires that each LEPC must conduct an exercise of the plan at least annually.

The LEPC must decide what objectives to test, select the type of exercise, the basic scenario, the participants and when to conduct the exercise.

The LEPC should appoint an Exercise Design Team to actually develop the exercise, including the scenario, messages, incident site, and control measures. The Team should consist of individuals experienced with the functions of the organizations, agencies, and facilities involved in the exercise. One member should be designated as the Team Chief or Leader and be responsible for submitting appropriate progress reports to the LEPC.

The Team should follow the guidance and information in accordance with the duties and responsibilities shown in OHM-EEM. The Team may want to meet initially with the designated Ohio EMA Hazmat Planner to seek guidance and to ensure that exercise directives and procedures are understood.

The LEPC must provide the SERC notice of the exercise (to Ohio EMA) using the LEPC Exercise Notice form provided in the OHM-EEM. This permits Ohio EMA to schedule a SERC Facilitator for the exercise and schedule evaluator training by the Facilitator prior to the exercise.

Lastly, the LEPC is responsible for providing sufficient evaluators for the exercise. SERC Resolution #96-159, dated August 14, 1996, states that **"each Committee is to select evaluators who are knowledgeable in the areas they are to evaluate"** and that the evaluators **"shall be provided, by the exercising LEPC, the portion(s) of the plan and or SOPs as related to the exercise objectives that they are to evaluate"**

Exercise Development Suggestions

Utilize the training and experience of all representatives of the LEPC and of others in the community in the planning of the exercise.

The LEPC should start planning many months prior to the expected date of the exercise to determine the type, scale and objectives of the exercise.

Appoint an Exercise Design Team and provide them guidance on what type exercise the LEPC wishes them to develop. Have the Team Chief/Leader provide the LEPC periodic briefings and identify any needs or requirements the LEPC should know. Note: The Team members cannot participate in the exercise and should serve as Controllers during the exercise.

Arrange for a meeting between the Team and the Ohio EMA Hazmat Planner for guidance to insure OHM-EEM requirements and guidance is understood

Insure that all participating departments, agencies and organizations: are aware of the exercise, wish to participate, receive general information on the exercise, and know what will be expected of them during the exercise. The LEPC may wish to schedule pre-exercise training and/or drills to assist individuals or organizations prepare for the exercise.

Coordinate the date and time for the evaluator's training with the Exercise Facilitator.

Exercise Design Course

Ohio EMA periodically teaches a FEMA certified (24 hour) course in designing, conducting, and evaluating exercises. Interested individuals can contact their County EMA Director for course information, dates and application. A certificate is given to each student upon successful completion of the course.

One or more counties can jointly request and host a shortened version of the Course. While FEMA certification is only provided for the full course, both the full and shortened courses provide excellent training for attendees.

SERC Review of Exercises

The Ohio EMA was designated by OAC Rule 3750-20-80 to review the annual LEPC exercises for the SERC.

Upon receipt of the LEPC's Exercise Notice, the Ohio EMA Hazmat Planner will contact the LEPC to schedule a meeting to review the Notice and to provide any assistance required.

The LEPC is required to provide sufficient evaluators for the exercise. These individuals must be qualified by training and/or experience to conduct an evaluation of the objectives they will be assigned to review.

The SERC representative will be the Exercise Facilitator for all evaluated exercises. This person is responsible to train the evaluators prior to the exercise, to ensure the LEPC provides appropriate plan portions to the evaluators prior to the exercise, and to coordinate exercise critique(s) with the LEPC. The Facilitator will write the official exercise report highlighting things done well and making recommendation for plan areas needing improvement, and make recommendations to the SERC regarding concurrence or non-concurrence.

Upon receipt of the exercise report from the Facilitator, the SERC will review the findings and recommendations made in the Facilitator's report and vote to Concur or Refuse to Concur with the exercise.

Exercise Credit for Actual Incidents

LEPCs may request exercise credit for an actual incident which occurred in, or affected the district. This request must be submitted to the Ohio EMA within thirty days of the incident. This credit, if granted, may be used to satisfy the annual exercise requirement.

Section IV(C) of the Ohio Hazardous Materials Exercise and Evaluation Manual (OHM-EEM) gives detailed guidance for the LEPC's use when requesting exercise credit.

The LEPC shall contact their assigned Hazardous Materials Planner and advise the Planner of their intention to claim exercise credit.

The Planner is responsible to evaluate the request and upon receipt of the request will, within thirty days, schedule a meeting with the LEPC to review the LEPC Exercise Notice, various records from the incident, and conduct interviews with all participants to allow the Planner to make an informed decision on the request.

The OHM-EEM will be used as the basis for actual incident exercise evaluation. The official report, and the recommendation to the SERC will be in a format similar to the normal exercise reports.

Exercise Critiques and Plan Updates

When the LEPC conducts a Full Scale exercise there must be an announced public critique. This critique will be scheduled by the LEPC and could be done in conjunction with another LEPC function, such as a LEPC meeting, or it could be scheduled separately.

Critiques and debriefings are important to the participants as well as the LEPC. The participants want to know what the evaluator(s) observed and the recommendations they have. Debriefings should be conducted immediately following the exercise, usually at the site while all participants are still present.

Critiques bring the participants together and allow them to listen to the comments of the evaluators as they critique all participating organizations. A public critique is required after each full scale exercise.

Finally, the LEPC should assemble the various heads of the participating agencies, departments, organizations or groups to discuss the exercise. They should discuss how the exercise actions met or conflicted with procedures outlined in the plan.

They should identify any plan shortcomings or errors in their areas and what changes, if any, to the plan are in order. Any changes recommended will be presented to the LEPC, and should be reviewed for possible inclusion in the next plan update.

SECTION VI

LEPC TRAINING AND EDUCATION PROGRAMS

General

ORC Section 3740.04 (A)(11) states the District's Chemical Emergency Preparedness and Response Plan shall contain "a plan for the development or provision of training programs, seminars, and other forms of educational programs." These programs should be made available for all emergency response, management, and facility personnel.

Additionally, the LEPC should train its own members in their respective areas of responsibility. It should also provide assistance to the County EMA in training such groups as the County EOC Staff, County Officials and others regarding hazardous materials plans, exercises and other activities.

Program Considerations

The LEPC must determine what training needs exist, identify personnel to be trained, obtain funding, identify training facilities and instructors available to best meet and accomplish the training requirements for its district.

The LEPC should consider the implementation of a training and education program for the district which includes training already scheduled and conducted by County EMA, the various first response agencies and organizations as well as other training activities relating to hazardous materials preparedness and response.

The LEPC should coordinate with the various county associations (Fire, EMS, Law, medical), to combine training efforts. Combining training sessions has many benefits, such as attracting more participants, cost savings, training more people with fewer instructors, and the students become acquainted with other individuals and their organization's roles and responsibilities.

Organization for Training

Each LEPC will have to determine how the district can best organize, set-up, and conduct a productive training and education program. Each district is different and each LEPC must develop a program which benefits its people in accordance with the training standards found in *Section C of the LEPC Procedures Manual*.

The following is one way a LEPC might approach the establishment of the training and education program. This concept is offered to help LEPCs design a program to fit their situation.

Appoint a Training and Education Sub-Committee. This group should contain, at least, representatives from the Fire, Law Enforcement, Facility, EMA, and EMS organizations. The Sub-Committee might be chaired by the Vice-Chair. Their task is to identify what the district's training needs are, what training is currently available, what the training goals are of the various agencies and organizations, and present their recommendations to the entire LEPC.

The LEPC should consider its direct and indirect roles in training and education within the District.

Direct Role.

The LEPC should provide appropriate orientation and training of the LEPC's members explaining their duties and responsibilities.

Identify training requirements of the various agencies, organizations, departments and groups within the district that they represent so they can consider how to meet these needs.

Identify the training goals for the various organizations, agencies, departments, and groups within the district.

Survey the District to identify the current training levels of the various agencies, departments, organizations and groups within the district to accurately estimate the type, cost, and availability of training needed.

Identify training programs available to support these requirements, including training to be provided by the local instructors, state and federal agencies, and the private sector.

Provide training and/or orientation for public officials, first response type organizations, churches, schools, service organizations and others.

Provide a schedule for training activities for the current year and at least a rough outline of plans and goals for the following year.

Provide funding support for training through the use of LEPC training funds and by obtaining additional funds from grants, private or industrial sources.

Provide a reference library containing publications, audio-visual material, and other items for training use. It should be at a location available during normal business hours. A current listing of reference and training documents available should be provided to the various emergency response organizations, agencies and departments.

Indirect Role.

The LEPC should assist the leadership of the various response and support organizations, within the District to meet training standards prescribed for their personnel. Ensure that these “employers” are aware of training requirements and standards, and that they maintain appropriate training records for their personnel.

Assist these organizations by obtaining training funds for their use by applying for various grants under programs such as; the PUCO, HMEP, and SERC grants. (See Section III, Page III-5, Funding).

The LEPC role should include the following:

Establish liaison, through the appropriate LEPC members, with the various agencies, departments, organizations and other groups (amateur radio, community groups, and others) within the district to determine their training interests, to discuss training requirements, and determine needs and goals for the groups.

The LEPC Training and Education Sub-Committee should keep the LEPC’s membership advised of their activities and findings. Regularly discuss training needed, planned courses, and requests from the groups.

The LEPC could create and make available a consolidated training schedule of the district on a quarterly or bi-annual basis. They may be able to assist agencies with training records for the individuals in an agency.

Assist all emergency response organizations to obtain training information through the County Fire Association(s), EMA Director’s office, the State Emergency Response Commission, and other State, Federal and private sources.

The LEPC might decide to utilize its own funds to purchase training materials, aids, and/or equipment for various organizations, agencies, departments or groups.

Hazardous Materials Training

Various levels of hazardous materials training are required by law for personnel in certain occupations. *Reference Section C, LEPC Procedures Manual.* The following is a listing of the levels by job/occupation:

<u>Occupation</u>	<u>Awareness</u>	<u>Operational</u>	<u>Technician</u>	<u>*Hazmat ICS</u>
Emergency Medical Spec	X (All)			
Firefighters	X (All)	X (All)		
Hazmat Team Members	X (All)	X (All)	X (All)	
Law Enforcement Pers	X (All)			
Fire Service Officers				X (All)

* **Law Enforcement and EMS leadership** should also take Hazmat Incident Command System (ICS) course or an orientation so they will understand their roles in ICS. (EMA/LEPC members should take the 4 hr awareness class).

Continual Training and Education Programs

The various training and education programs conducted or arranged by the LEPC for EMA and LEPC staff and county officials should be considered as on-going programs based on the assessment of the need.

The Training and Education Sub-Committee should carefully review training already provided, assess current/future needs and develop their programs accordingly.

The Training Sub-Committee should be familiar with 29 CFR 1910.120(e) which requires initial, management and supervisor, emergency response, and refresher training.

Hazardous Materials Topics and Workshops

The Federal Emergency Management Agency (FEMA) has developed sixteen (16) short courses (workshops) to enable the local districts to put on their own courses using local instructors and expertise. These are:

<u>Subject Number</u>	<u>Course Title</u>
305.1	Risk Communication
305.2	Hazardous Materials Information Management
305.3	Risk Analysis
305.4	Exercising Emergency Plans under Title III
305.5	Alert Notification
305.6	Overview of the Incident Command System
305.7	Community Awareness and Community Right-To-Know
305.8	Hazardous Materials Workshop for EMS Providers
305.9	Hazardous Materials Workshop for Law Enforcement
305.10	Facility Coordinator's Role and the LEPC
305.11	An overview of Liability in Emergency Response
305.12	The National Response System and Local Response
305.13	Media Issues in Hazardous Materials
305.14	Hazardous Materials Response Teams
305.15	Evacuation and In-Place Protection
305.16	Hazardous Materials Workshop for Hospital Staff

NOTE: The Instructor's Guide and the Student Manuals are free to the County. Students attending these locally held courses retain the Student workbook for their own reference. These courses must be coordinated through the County EMA Director's Office.

Scheduling of Training

The LEPC should develop, maintain, and distribute a schedule of all Sub-Committee meetings and training sessions hosted or conducted by the LEPC or others. (All training which would be of interest to LEPC members, or other individuals, groups, departments, organizations, or agencies affected by hazardous materials matters should be included).

The LEPC should also request that other departments, organizations, and agencies within the district provide them with copies of their training schedules. This procedure would keep the LEPC informed of on-going training programs within the county and would in turn help the LEPC recognize how the organizations are training and who may need attention and/or assistance from the LEPC.

Public Education and Awareness Program

The public needs to be aware of the dangers of hazardous substances and the procedures they need to follow in the event of orders for in-place sheltering or evacuation. Special facilities such as nursing homes, schools, hospitals, public buildings, senior citizen housing and others need to be considered also.

If not already in place, the LEPC should develop a program to provide for public education in regards to Hazardous Substances. The program should include provisions for orientation and/or training for private citizens, special facilities, and for the identification and education of special populations such as hearing impaired, blind, and home-bound.

The program should include presentations, audio-visual programs, written notices, pamphlets, and other means to insure the district's population is aware of actions which may be required at any time in the event of a hazardous materials incident.

The LEPC is encouraged to sponsor speakers for schools, organizations and clubs and provide written or audio-visual programs, assist the district's response organizations with their public information programs, and coordinate other activities to take advantage of ongoing special events in the district.

Facility personnel could be requested to provide a Public Awareness presentation concerning their facility or their industry in general, plant safety systems, and government's requirements, regulations, and oversight.

The SERC's Training and Education Committee, Ohio EMA Hazmat Planners, the State Fire Marshal or Ohio EPA can assist the LEPCs with examples of programs offered by other LEPCs.

FEMA has several instructional programs on the subject to include a home study course entitled "A Citizens Orientation," and a four hour course entitled "Hazardous Materials Introduction for Public Officials" (G300) and others.

Summary

Training of all personnel is important, but the training of individuals that must respond to a hazmat incident is critical. This is not only because of concern for the individual responders health and welfare but for the communities as well. All emergency responders must be properly trained and equipped if they are to successfully handle chemical accidents.

The LEPC has a responsibility to coordinate, support, and assist the various agencies, departments, and organizations with their training programs.

SECTION VII

FACILITIES WITHIN THE DISTRICT

General

There are fixed facilities in every County in Ohio which use, produce, or store hazardous substances. The LEPC needs to be aware of all the facilities in the district, especially the ones handling Extremely Hazardous Substances (EHS). Facilities may be privately or government owned, such as water treatment plants and all are subject to at least some provisions of the law.

EPCPA Reports

There are four reporting provisions under Emergency Planning and Community Right To Know Act (EPCRA) and facilities may be subject to any or all of these:

- 1 - Extremely Hazardous Substances Notification.
- 2 - Release Notification.
- 3 - Inventory/Annual Reporting
- 4 - Toxic Inventory (313/Form R)

NOTE: While LEPCs can and do become involved in all four types of reports, they are only responsible for the first three.

Reporting Provisions

Extremely Hazardous Substance Notification.

Extremely Hazardous Substances (EHS) are chemicals that are immediately dangerous to life and health, even at relatively low concentrations and short exposures. Such conditions are likely to exist following an accidental release of EHS chemicals into the environment.

There are 356 EHSs listed in EPCRA (Sep 96).

A Threshold Planning Quantity (TPQ) is listed for each Extremely Hazardous Substance. The quantities range from 1 to 10,000 pounds and average approximately 500 pounds. An EHS must be present in a quantity exceeding the TPQ before it must be reported. The facility reporting must also report the highest quantity on hand during any one time of the reporting period (year), this is important as a hazards analysis is based on the worst case scenario.

If a mixture includes more than 1 percent of an EHS by weight, or 0.1 percent if the EHS is carcinogenic, then the total amount of EHS must be calculated. If this quantity is in excess of the TPQ, it must be reported.

Reporting consists of identifying the chemical(s), providing the storage location, a point of contact (Facility Emergency Coordinator), and 24 hour telephone numbers for planning and emergency response.

Reporting is required within 60 days of acquiring TPQ of any EHS. Reports should be sent to the local Fire Department, LEPC and the SERC. Facilities can use SERC prepared identification and inventory forms or otherwise provide similar information.

Release or Spill Reporting.

In Ohio, the release, spill, or abandonment of any of the 356 EHSs noted above, any of the listed CERCLA (Superfund) hazardous substances, or oil, must be reported if two conditions are met. First, the quantity must be at or

above the substance's specific Reportable Quantity (RQ). Second, the released material must migrate or travel from the site. Examples: A "RQ" spill from a tank truck onto a street is a release, or any oil spillage which results in a sheen on the water is a release.

Notification for "Reportable" spills must be made to the SERC, the LEPC Emergency Coordinator and the local Fire Department. Initial notification is required within 30 minutes of discovery. A detailed written summary report is required to the SERC and the LEPC within 30 days (ORC Section 3750.06).

The law provides flexibility in the LEPC's level of involvement with release reporting. All LEPCs are required to designate an Emergency Coordinator to receive release reports and to coordinate response actions. Some LEPCs will have extensive response and enforcement programs, while others may largely defer to the SERC.

Inventory/Annual Reporting.

Initial chemical reporting and the annual reporting of the quantity and conditions of storage is required if: (1) the facility is subject to the OSHA Hazard Communication Standard, (2) the facility stores an EHS or hazardous chemicals, and (3) the chemicals are stored in excess of the TPQ or TQ.

The TQ for an EHS is chemical specific, being the lower of the TPQ or 500 pounds (The range for EHS reporting is 1 to 500 pounds). The TQ for any other hazardous chemical is 10,000 pounds.

Facility Annual Reports. The Ohio annual inventory report consists of the following:

- A Facility Identification Form. Contains names, addresses, phone numbers.
- Emergency and Hazardous Chemical Inventory Form. The Ohio version of the Federal Tier II Report Form
- Facility Map. Representation of chemical locations on facility grounds in relationship to buildings, doorways and fences.
- Fee Worksheet (and payment)

LEPC Actions Upon Receipt of Facility Reports

After years of receiving, using, and maintaining facility annual reports most LEPCs have developed a standard procedure, including timely processing (during April and May) of the reports which should include the following actions:

- Record receipt of all facility reports.
- Check against present listing(s) to insure all reports are received.
- Changes. Check reports against last years reports to ascertain changes in chemicals (types and amounts), locations, new diagrams, or map.
- Acknowledge receipt of the report to the facility by letter. Question any unclear changes or additions at this time.
- Hazardous Analysis. Recompute the hazards analysis when changes of chemicals, storage, or volumes dictate. This may change the information on the facility in the hazmat plan.
- Confirm that reports are accurately completed.
- Update CAMEO. Review facility annual inventory reports and update information in the program as needed.

Public Access to Information

As stated in ORC Section 3750.10 any person who seeks to review or obtain copies of information submitted to the LEPC **shall** submit a written application to the Information Coordinator of the LEPC.

A separate request shall be submitted for each facility (site specific) for which information is being requested, and shall specify both the facility for which the information is being requested and the particular type of documents being requested.

The Information Coordinator shall provide the applicant access to, or copies of, the information requested, or shall perform the requested computer search and provide the applicant with the information obtained in the search, subject to the restrictions submitted as a trade secret.

An applicant shall be informed of the cost of copying, mailing, or conducting a computer search of information on file with the LEPC before such a search or copies are made.

LEPC Compliance and Enforcement Program

ORC Section 3750.03(E)(6) states that the LEPC will have a compliance and enforcement program and that this program will consist of monitoring regulated facilities within the district, and conducting compliance and enforcement activities to ensure the facilities have submitted the information required by ORC Sections 3750.05, .07 and .08.

The SERC considers the following activities as evidence that a LEPC is meeting its compliance program responsibilities:

1. Meeting With Companies. Individual or group meetings with one company or a group of potential reporters; water/wastewater treatment operators, funeral homes, gas stations, or any group of known or possible reporting concern.
2. Inspecting Records. Records should be kept for LEPC and all government activities. Reports, hand written or follow-up letters concerning visits to see what is in the shop or warehouse serve this purpose.
3. Letters to Industry. The LEPC, a Sub-Committee, volunteer or employee can write letters to a facility or a category of reporters. "Generic" letters might be used and copied to associations.
4. Outreach Newsletter. A fact sheet or newsletter covering one or many types of reporters might be developed (EHS Notice, spill reporting, general industry, oil and gas).
5. Newspaper Reminder Article. (For general and neighborhood news, cable, and TV) These can be informative to the public and the potential reporters. The intent of the law, items of interest, i.e. anniversary of Bhopal, enactment date of SARA Title III, safety week, etc., might make these noteworthy.
6. Enforcement Referrals. To the County Prosecutor or SERC — these are some of the more extreme examples. While hopefully infrequent, they may sometimes become necessary. Feel free to contact another experienced LEPC or the SERC (Remember if you have a problem, someone else has had it too).
7. Copies of Settlements. Some LEPCs have already reached settlements with one or more parties over inventory or release reporting violations. A settlement might include LEPC support or assistance of or in addition to cash.

Annual Compliance and Enforcement Report: All LEPCs must send to the SERC an annual report on their compliance and enforcement activities. The report is due October 1st for the previous calendar year. It must indicate:

1. Summary of compliance and enforcement activities.
2. Estimated number of facilities subject to each section of law (ORC Sections 3750.05, .07, .08).
3. Number of facilities in compliance with each section of law (ORC Sections 3750.05, .07, .08).

Facilities failing to report. LEPCs must check their district to insure that all facilities that should send a report are doing so annually. The LEPC must notify any facility failing to report, direct them to report, supply them with appropriate reporting booklets (SERC provides extras to LEPCs) and insure they report. If they do not, the LEPC should notify the SERC.

If the facility is a 'first time filer' the LEPC will receive 100% of the fee paid by the facility for that reporting year.

SECTION VIII - STATE AGENCIES

State Agency Response

The State of Ohio Hazardous Materials Emergency Management Plan lists the roles and responsibilities of the State agencies and their response personnel that may be called upon to assist local efforts in times of a hazardous materials incident. This plan is Appendix 4 to the Ohio Emergency Operations Plan. All state agencies and county EMA Offices are provided copies of the plan and its updates.

LEPC members should review the State plan especially as it relates to their peculiar interest, i.e. law, fire, ARC, medical, or others. The plan is formatted in accordance with NRT-1 and the various sections follow that sequence.

The concept of operations (Section A7) addresses how the State will be configured to respond to hazmat emergencies, it also addresses federal response.

Sections C10, C11 and C12 address roles and responsibilities of agencies that are designated primary, support or secondary support agencies. Information contained in the plan will help you understand the various state, federal and others roles and assist the LEPC when writing and/or updating the county plan.

The State plan is written and maintained by Ohio EMA, Hazmat Section. If you have any questions regarding the plan, contact Ohio EMA, Hazmat Section, at 614-889-7170.

Training and Assistance

There are primarily three state agencies which offer training courses and assistance on hazardous materials subjects. These agencies and points of contact are listed below:

State Fire Marshal's Office (Ohio Fire Academy) 1-888-589-2728 or 614-752-7196
Ohio EPA (Right-to-Know Office) 1-888-644-2260 or 614-664-2260
Ohio EMA (Training Officer) 1-614-889-7168

See Section H of the State plan for a listing of the hazardous materials courses.

The SERC has a Training and Education Committee which meets regularly to address various training and education issues. This Committee's mission is to provide the LEPCs training information and guidance on all areas of concern which the LEPCs and others have identified. This Committee puts on the Annual LEPC Conference.

Grants Available to Assist with Training Funds

See Section III of this Handbook regarding grants which can provide funding for training conducted and/or supported by the Committee for first responders and others within the district.

Committees have utilized grant funds to provide training classes, instructors, training programs, aids, and equipment within their districts.

SECTION IX

ACRONYMS AND GLOSSARY OF TERMS

CAMEO	Computer Aided Management of Emergency Operations. A software program that helps emergency managers and responders plan for and respond to chemical accidents, and manage information now available under EPCRA about the presence of chemicals in the community.	
CHEMICAL	Means any element, chemical compound or mixture of elements and/or compounds.	
COMMISSION	Ohio State Emergency Response Commission	
EHS	“Extremely Hazardous Substance” means a substance listed by USEPA in paragraph (A) of Rule 3750-20-30 of the Administrative Code and a substance listed by the Commission in paragraph (B) of Rule 3750-20-30 of the Administrative Code.	
EMERGENCY PLANNING DISTRICT	Means an emergency planning district or joint emergency planning district designated under Section 3650.03 of the Revised Code or a joint interstate emergency planning district established by agreement under that section.	
EOP	Emergency Operations Plan. The principal emergency plan of a facility, community, county or state developed by emergency planners in conjunction with emergency responders, agencies, departments and organizations. The planners will assemble facts on capabilities, limitations, resources, responsibilities, mutual aid requirements and procedures into an emergency operations plan for their jurisdiction..	
EPCRA	“Emergency Planning and Community Right-To-Know Act of 1986” 42 U.S.C.A. 11001 to 11050 and regulations adopted thereunder. The Ohio General Assembly passed Substitute Senate Bill 367, the Ohio version of EPCRA, 1988. law, Chapter 3750 of the Ohio Revised Code (ORC) provides for the implement-attain of EPCRA in the State of Ohio.	This
FACILITY	Means all buildings, equipment, structures, and other stationary items which are located on a single site or contiguous or adjacent sites and which are owned or operated by the same person (or by person which controls, is controlled by, or under common control with). For purpose of chemical release notification under Section 3750.06 of the Revised Code, the term does include motor vehicles, rolling stock, and aircraft.	
FACILITY EMERGENCY COORDINATOR	Means a designated facility representative who will participate in local emergency planning.	
FEMA	Federal Emergency Management Agency. The federal agency responsible for emergency planning and response. Coordinates federal agencies response to emergency situations, communicates with the affected states and/or territories to ascertain needs, receives and validates requests for Presidential Emergency Declarations, handles emergency federal funding requests and provides on site assistance to State EMAs through the end of the emergency as needed.	
HC	“Hazardous Chemical” has the meanings given to that term in 29 C.F.R. 1910-120(c). The term also includes chemicals identified or listed pursuant to Rule 3750-20-60 of the Administrative Code. (See OAC Rule 3750-1-01 for a complete definition)	

HS	“ Hazardous Substances ” means a substance listed by USEPA in paragraph (A) of Rule 3750-20-50 of the Administrative Code and a substance listed by the Commission in paragraph (B) of Rule 3750-20-50 of the Administrative Code.	
LEPC	Local Emergency Planning Committee. A county level planning committee responsible for the development and distribution of the chemical emergency preparedness and response plan, for conducting annual exercises to validate and test the plan, to provide training and assist emergency responders, other agencies and organizations with their training programs, for development of a public education program, and to develop and implement a compliance and enforcement program for the district.	
OIL	“Oil” includes oil of any kind or in any form including, without limitation, petroleum, fuel oil, sludge, oil refuse, and oil mixed with wastes other than dredged spoil.	
OSHA	Occupational Safety and Health Administration , created by the Occupational Safety and Health Act of 1970, 29 U.S.C.A. 651 et seq.	
OSHA Hazard	An occupational safety and health standard intended to ensure that the hazards of all Communications chemicals produced or imported are evaluated, and that information is transmitted to Standard employers and employees (<i>Reference 1910.1200 ‘Hazard Communication’</i>)	
RQ	“ Reportable Quantity ” means for any hazardous substance or extremely hazardous substance, the reportable quantity established in Rule 3750-20-50 of the Administrative Code or Rule 3750-20-30 of the Administrative Code.	
SARA	“ Superfund Amendments and Reauthorizations Act of 1986, 100 Stat. 1747, 42 U.S.C.A. Sections 11001-110050 and regulations adopted thereunder.	
SERC	State Emergency Response Commission.	
TPQ	“ Threshold Planning Quantity ” means for an extremely hazardous substance listed in 40 C.F.R. Part 355, Appendix A and B, in Rule 3750-20-30 of the Administrative Code, the quantity listed in the columns (threshold planning quantity) for that substance .	
TQ	“ Threshold Quantity ” means the minimum level for a hazardous chemical after which a facility becomes subject to Rules 3750-30-15 and 3750-30-20 of the Administrative Code with respect to such chemical.	
USEPA	United States Environmental Protection Agency.	

OHIO ADMINISTRATIVE CODE (OAC)
Rules as Adopted Under Ohio Revised Code Chapter 3750

In 1994, the SERC published an updated copy of the Rules for Chapter 3750 of the ORC. This copy has a gray cover and on page one states "Complete to June 1, 1994." Copies were distributed to each LEPC.

The following is a listing of information contained in the 1994 publication and notes on several changes/additions since the booklets publication.

CHAPTER 3750 - HAZARDOUS CHEMICAL INVENTORY REPORTING

3750-1-01	DEFINITIONS
3750-1-02	PURPOSE
3750-1-03	INVENTORY FORM REPORTING REQUIREMENTS FOR SUBJECT FACILITIES

CHAPTER 3750-10 - EMERGENCY PLANNING; ENFORCEMENT

3750-10-01	ESTABLISHMENT OF STATE EMERGENCY RESPONSE COMMISSION AND COMMITTEES
3750-10-03	GENERAL MANAGEMENT RULES
3750-10-05	INTERNAL OPERATING RULES
3750-10-07	EXECUTIVE COMMITTEE: ISSUANCE OF ORDERS, PERSONS WHO MAY REQUEST ENFORCEMENT ORDER PROCEDURE
3750-10-09	PUBLIC TESTIMONY

CHAPTER 3750-15 - PROCEDURAL RULES

3750-15-01	APPLICABILITY
3750-15-02	CONSTRUCTION OF RULES
3750-15-05	PUBLIC NOTICE OF PROPOSED RULES
3750-15-10	SEVERABILITY

CHAPTER 3750-20 - EMERGENCY PLANNING

3750-20-01	FACILITIES SUBJECT TO EMERGENCY PLANNING REQUIREMENTS
3750-20-05	EMERGENCY PLANNING REQUIREMENTS OF SUBJECT FACILITIES
3750-20-10	CALCULATIONS QUANTITIES FOR COMPARISON WITH THRESHOLD PLANNING QUANTITIES FOR SOLIDS AND MIXTURES
3750-20-30	LIST OF EXTREMELY HAZARDOUS SUBSTANCES AND THEIR THRESHOLD PLANNING QUANTITIES
3750-20-50	LIST OF HAZARDOUS SUBSTANCES AND THEIR APPLICABLE REPORTABLE QUANTITIES
3750-20-60	ADDITION OF HAZARDOUS CHEMICALS, EXTREMELY HAZARDOUS SUBSTANCES AND HAZARDOUS SUBSTANCES
3750-20-70	EXERCISE DEFINITIONS
3750-20-72	CHEMICAL EMERGENCY RESPONSE PLANS
3750-20-74	REVIEW OF PLANS
3750-20-76	TYPES OF EXERCISES
3750-20-78	EXECUTION OF EXERCISES
3750-20-80	REVIEW OF EXERCISES
3750-20-82	ISSUANCE OF EXERCISE ORDER BY COMMISSION
3750-20-84	PUBLIC REVIEW OF PLAN EXERCISES

CHAPTER 3750-25 - EMERGENCY RELEASE INFORMATION

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25-05	DESIGNATION OF HAZARDOUS SUBSTANCES	
3750-25-10	DETERMINATION OF REPORTABLE QUANTITIES FOR HAZARDOUS SUBSTANCES	3750-
25-12	DETERMINING NOTIFICATION REQUIREMENTS OF MIXTURES OR SOLUTIONS	
3750-25-13	RELEASE NOTIFICATION REQUIREMENTS FOR RADIONUCLIDES & SOLID PARTICLES	
3750-25-15	CALCULATIONS FOR REPORTABLE QUANTITIES OF CONTINUOUS RELEASES	
3750-25-20	REPORTABLE QUANTITIES FOR OIL INCLUDING CRUDE OIL	
3750-25-25	RELEASE NOTIFICATION REQUIREMENTS	

CHAPTER 3750-30 - GENERAL FACILITY IDENTIFICATION REQUIREMENTS

3750-30-01	FACILITIES SUBJECT TO HAZARDOUS CHEMICAL REPORTING REQUIREMENTS	
3750-30-10	GENERAL FACILITY IDENTIFICATION REQUIREMENTS FOR SUBJECT FACILITIES	
3750-30-101	GENERAL FACILITY IDENTIFICATION REQUIREMENTS FOR OIL AND GAS EXTRACTION STORAGE FACILITY	
3750-30-15	LIST OF MATERIAL SAFETY DATA SHEETS (MSDS) REPORTING REQUIREMENTS FOR SUBJECT FACILITIES	
3750-30-20	EMERGENCY AND HAZARDOUS CHEMICAL INVENTORY FORM	
3750-30-25	IDENTIFICATION OF HAZARDOUS CHEMICALS	
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CHAPTER 3750-50 - FEES, FUNDING AND GRANTS

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3750-50-03	EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW FUND	
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3750-50-07	FIRST-TIME FILER GRANT AWARDS	
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3750-50-25	GRANT APPLICATION AND FUNDS IN THE EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW RESERVE FUND	

CHAPTER 3750-60 - TRADE SECRETS

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3650-60-07	ASSERTION OF CLAIMS FOR TRADE SECRECY FOR THE SPECIFIC CHEMICAL IDENTITY OF THOSE ADDITIONAL CHEMICALS LISTED OR IDENTIFIED BY THE COMMISSION	
3750-60-09	METHODS OF ASSERTING TRADE SECRETS	
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3750-60-43	ADDITIONAL MATERIAL SUBMITTED FOR GOOD CAUSE
3750-60-50	SUFFICIENCY OF ASSERTIONS
3750-60-52	STANDARDS FOR SUFFICIENCY OF SUBMISSION OF A TRADE SECRET FORM
3750-60-60	PUBLIC PETITIONS REQUESTING DISCLOSURE OF CHEMICAL IDENTITY CLAIMED AS TRADE SECRET
3750-60-80	ORDERS ISSUED BY THE COMMISSION
3750-60-83	APPEAL FROM COMMISSION'S DETERMINATION OF THE SUFFICIENCY OF TRADE SECRECY CLAIM
3750-60-85	APPEAL FROM COMMISSION'S DETERMINATION THE VALIDITY OF TRADE SECRECY CLAIM
3750-60-90	RELEASE OF CHEMICAL IDENTITY DETERMINED TO BE A NON-TRADE SECRET; NOTICE OF INTENT TO RELEASE CHEMICAL IDENTITY
3750-60-93	DISCLOSURE OF TRADE SECRET INFORMATION
3750-60-94	ADVERSE HEALTH EFFECTS
3750-60-95	ADDRESS TO SEND TRADE SECRET CLAIMS AND PETITIONS REQUESTING DISCLOSURE
3750-75-02	*FACILITIES SUBJECT TO THE EMERGENCY RESPONSE LOCK BOX UNIT REQUIREMENTS
3750-75-03	*CRITERIA FOR THE CONSTRUCTION OF AN EMERGENCY RESPONSE LOCK BOX UNIT
3750-75-04	*EMERGENCY RESPONSE LOCK BOX UNIT CONTENTS AND MAINTENANCE
3750-75-05	CONDITIONS FOR THE PLACEMENT OF, AND ACCESS TO, AN EMERGENCY RESPONSE LOCK BOX UNIT
3750-75-07	*APPLICATION FOR ISSUANCE OF A LOCK BOX ORDER BY A FIRE DEPARTMENT
3750-75-08	*APPLICATION FOR ISSUANCE OF LOCK BOX ORDER BY A LOCAL EMERGENCY PLANNING COMMITTEE
3750-75-09	*DECISION BY EMERGENCY RESPONSE COMMISSION REGARDING A LOCK BOX APPLICATION FROM A LOCAL EMERGENCY PLANNING COMMITTEE
3750-75-10	*CRITERIA FOR ISSUING AN ORDER REQUIRING THE PLACEMENT OF A LOCK BOX UPON A REQUEST BY A POLITICAL SUBDIVISION
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3750-80-02	CRITERIA FOR GRANTING A VARIANCE TO A LOCAL EMERGENCY PLANNING COMMITTEE
3750-80-03	DECISION BY EMERGENCY RESPONSE COMMISSION
3750-85-01	APPLICATION FOR VARIANCE BY POLITICAL SUBDIVISION
3750-85-02	CRITERIA FOR GRANTING A VARIANCE TO A POLITICAL SUBDIVISION
3750-85-03	DECISION BY LOCAL EMERGENCY PLANNING COMMITTEE

*** = Proposed effective date is August 1, 1998**

BUCKEYE COUNTY

LOCAL EMERGENCY PLANNING LEPC (LEPC)

CONSTITUTION AND BY-LAWS

ARTICLE I: NAME

The name of this Committee is the Buckeye County Local Emergency Planning Committee, (hereinafter referred to as the LEPC). The LEPC is authorized by federal law, state law and by appointments duly issued by the State Emergency Response Commission, (hereinafter referred to as SERC), from a list of persons submitted and recommended to the SERC by the Buckeye County Commissioners in accordance with provisions of the Ohio Revised Code (ORC) 3750.03(B).

ARTICLE II: STATE AND FEDERAL LAWS

The following State and Federal laws are applicable to LEPCs. Superfund Amendments and Reauthorization Act of 1986 (SARA), 42 U.S.C. 11001(c); and Ohio Revised Code 3750, as revised and as supplemented by the Ohio Administrative Code (OAC).

ARTICLE III: PURPOSE AND OBJECTIVES

SECTION 1 - The purpose of the LEPC:

As stated in ORC 3750.04 (A), the LEPC shall develop a chemical emergency response and pre-paredness plan for the planning district (Buckeye County); establish procedures for conducting its public information and education responsibilities; receive and process requests for information from the public; notify the public of all LEPC activities and meetings; print and distribute the emergency plan and make it publicly available; receive reports and information as specified in ORC Chapter 3750.

With the information and reports received from facilities operating within the district, and analysis of the district's transportation risks, the LEPC will perform a hazard analysis, establish and maintain a data base of hazardous chemical locations and quantities in the district and establish and maintain a computer system for data management. Detailed information on all facilities with Extremely Hazardous Substances (EHS) will be included in the emergency plan. (ORC Section 3750.04)

The LEPC is instrumental in fulfilling the purpose of the Community Right-To-Know law to increase the protection of the community from chemicals produced, used, stored, and/or transported within the Planning District. Transportation hazards analysis will include those risks to the district from commercial transportation of chemicals on the Ohio River.

All meetings, including sub-committee and ad hoc committee meetings, are open to the public.

SECTION 2 - The Objectives of the LEPC are:

- a) To prepare and maintain a comprehensive and coordinated chemical emergency preparedness and response plan for Buckeye County.
- b) To receive and process the public information requests in accordance with ORC Section 3750.03 and SERC resolutions.

c) To implement the LEPC rules and requirements as outlined in ORC Section 3750.03 with special emphasis on ORC Section 3750.03(D).

d) To carry out the powers and duties set forth in rules and resolutions of the SERC.

e) To appoint appropriate sub-committees or other ad hoc committees to assist the LEPC on the duties and responsibilities as listed in ORC Section 3750.03 and ORC 3750.04; for example, preparation and maintenance of the County's Chemical Emergency Response and Preparedness Plan, annual review and testing of the Plan, training and education, compliance, and enforcement.

ARTICLE IV:

LEPC REPRESENTATION

SECTION 1 - Composition of the LEPC.

ORC Section 3750.03 requires that the LEPC be comprised of an equal number of representatives of the following entities: Elected State and local officials; law enforcement; emergency management personnel, fire-fighting personnel, first aid/EMS personnel; health personnel, local environmental personnel; hospital personnel; transportation personnel; broadcast and print media personnel; community groups and owners and operators of facilities.

SECTION 2 - Appointment of the LEPC, Election of Officers. *

In August of the odd numbered year, a new LEPC will be appointed by the SERC based upon a list of persons the County Commissioners has recommended to the SERC. SERC will request, in writing, that the County Commissioners provide them their recommendations by a certain date.

To assist the County Commissioners develop their recommendations for SERC, the LEPC Secretary will provide the County Commissioners, not later than the first day of June of the odd numbered year, a listing of current LEPC members indicating which members are willing to serve another two year term.

In July of the odd numbered years, the LEPC Chairperson shall appoint a Nominating Committee, consisting of four members, to nominate a LEPC Chairperson and Vice Chairperson from names off of the list the County Commissioners forwarded to the SERC.

At the first meeting of the newly appointed LEPC, an election of LEPC officers, the Chairperson and Vice Chair person, will be conducted by an officer of the previous LEPC. The election will include the individuals recommended by the Nominating Committee and nominations from the floor. All person(s) to be nominated shall be contacted prior to the election and have indicated willingness to serve if elected.

The LEPC Secretary will provide the names of the new Officers to the County Commissioners and the SERC immediately following the meeting. The names of the individuals appointed to fill the LEPC positions of Information Coordinator, Community Emergency Coordinator and Secretary will also be included in this notice.

SECTION 3 - Filling of Vacancies. *

Vacancies may occur due to resignation or removal action (ORC Section 3750.03(B)). The vacancies shall be filled in the following manner: The LEPC shall identify a qualified replacement and nominate, by vote of the membership, this person to fill the position in which such vacancy exists; the LEPC Secretary shall submit that person's name, with the recommendation that the person serve the balance of the unexpired term, to the County Commissioners requesting they nominate this person to the SERC for appointment to the LEPC.

The County Commissioners should then pass a Resolution requesting SERC appoint this person to the County LEPC to fill the remainder of the unexpired term and forward the request to SERC.

** Note: Sections 2 and 3 above are addressed in ORC Section 3750.03(B) and need not be repeated here, however the Sections as written should assist the membership to better understand the law. No By-Laws can be inconsistent with statute or rule.*

ARTICLE V: JURISDICTIONAL BOUNDARY

SECTION 1 - The LEPC's Jurisdictional Boundary:

The Buckeye County's LEPC's jurisdictional boundary is all of Buckeye County, Ohio.

ARTICLE VI: POWERS AND DUTIES

SECTION 1 - Powers.

Under ORC Section 3750.03(D), the LEPC shall have the authority to: appoint a chairperson, vice-chairperson and a secretary; to adopt bylaws; to appoint an information coordinator and community emergency coordinator; to purchase goods or services, enter into lease or contact agreements and accept gifts on behalf of the LEPC; and to establish and carry out compliance and enforcement activities.

ORC Section 3750.03(E) provides the LEPC authority and guidance that it may: Receive or accept from any public or private source, gifts, grants, contributions of money, services of personnel, and real or personal property, or their use; appoint, and fix compensation of employees; designate additional facilities within the district to be subject to the plan; enter into agreements; adopt rules for dealing with facilities within the planning district; and enter into contracts.

SECTION 2 - LEPC Meetings.

The LEPC shall meet a minimum of six (6) times each calendar year, normally on a bi-monthly schedule. The LEPC will set the time and date of its regular bi-monthly meeting.

To be excused from a scheduled meeting the member in question shall contact, prior to the conduct of the meeting, one of the following: Chairman, Vice-Chairman or Secretary

The Chairperson shall have the authority to call a special meeting of the LEPC if he or she determines that a need exists that it is essential for such meeting.

A. Regular Meetings.

A minimum of seventy-two (72) hours notice will be given to all members of the LEPC, and a public announcement* of the meeting date, time and location will be made, in advance of a LEPC meeting. (* Local newspaper or best for your community)

Such notice, or announcement, will be in writing by mail. If it is likely a mailed notice would not reach the members, or media, in sufficient advance time of the meeting, such notice will be given in person or by telephone.

B. Special Meetings.

The LEPC Chair shall have the authority to call a special meeting of the LEPC if he or she determines that a need exists that is essential for such a meeting.

Minutes of the meetings will be taken and maintained with the official LEPC records.

SECTION 3 - Quorum.

A two-thirds* majority of members of the LEPC present shall constitute a quorum for the transaction of LEPC business. Business shall be transacted only at properly scheduled and announced meetings. (* *two-thirds majority required by law*)

SECTION 4 - Removal of a Member.

The LEPC, by a two-thirds vote of all its members, may, at any time, remove a member for misfeasance, malfeasance, or nonfeasance or, at the request of the LEPC, the SERC may remove a member of the LEPC for any of those reasons. (ORC 3750.03(B))

Any member with two (2) consecutive unexcused absences, or with a total of four (4) unexcused absences within the two (2) year term, shall be considered to have resigned.

ARTICLE VII:

EXECUTIVE BOARD

SECTION 1 - Composition and Term of the Executive Board.

There shall be an Executive Board composed of the LEPC Chairperson, Vice Chairperson, County EMA Director, a facility representative, and one (1) additional members-at-large. The members-at-large will be members of the LEPC and selected by nominations from the floor and two-thirds vote.

This election shall be conducted immediately following the election of Officers.

The Executive Board may meet to discuss subject(s) pertinent to the LEPC in order to save time during presentation at regular LEPC meetings. However, only the whole LEPC can conduct LEPC business so the subjects must be presented to the LEPC for final disposition..

ARTICLE VIII:

FUNDING

SECTION 1 - Handling of funds.

All funds, including grants and gifts, received on behalf of the LEPC, shall be credited to a “special emergency planning fund” in the treasury of the county as directed by ORC Section 3750.03(F).

The LEPC shall receive the services of the County Auditor as directed under ORC Section 3750.03(F). The Auditor will provide the LEPC guidance regarding procedures utilized by the County to expend funds and an accounting of the LEPC’s account.

SECTION 2 - Grant Applications.

The LEPC shall be responsible for making applications to the SERC and others, for grants which are available to the LEPC. Example include: SERC Grant, PUCO Grant.

SECTION 3 - Expenditure of Funds.

The LEPC will not, under any circumstances, obligate funds in excess of the amount of dollars in its account with the County Auditor.

The Chairperson, Vice Chairperson and the Secretary of the LEPC may make purchases for goods [costing up to two hundred dollars (\$200.00)].

The LEPC will review all requests and either approve or disapprove entering into contracts for services.

All bills or invoices paid will be identified at the next LEPC meeting. If final receipt of the bills or invoices has not occurred an estimated cost will be given.

Expenditures for such items as contacted services (telephone, service agreements, secretarial services, etc) and any other expenditures over two (2) hundred dollars will require pre-approval by a two-thirds vote of the LEPC.

Requests for financial assistance, such as for paying instructors, providing training materials or purchasing items of training equipment for first response organizations shall be submitted in writing to the LEPC for their consideration. Only written requests, with clear justification and all costs indicated, will be considered.

Purchase orders (PO) are authorized to be issued only after approval of the expenditure by a two-thirds majority of the LEPC and will be handled in accordance with standard fiscal procedures set forth by the County Auditor.

Purchase Orders (PO) must be signed by the Chairperson or Vice Chairperson. In no case can purchases be made until after a PO is issued by proper authority. The PO must contain the name and address of the vendor, the name of the item(s) to be purchased and the amount

NOTE: The LEPC must adhere to their County's fiscal accounting and operating procedures. This section will need to be coordinated with the County Auditor.

SECTION 4 - Purchase and Accountability of Durable Items.

Any durable items purchased from LEPC funds shall be accounted for in accordance with methods and procedures of the Buckeye County's Auditor Office and applicable federal and state grant regulations..

All such items purchased, or donated to the LEPC will be accounted for and properly marked as County Property in accordance with established County procedures and applicable federal and state grant regulations.

A listing of all these durable items will be maintained and provided to the membership at the first scheduled meeting following the LEPC's appointment by the SERC. Items which have lost their usefulness due to age, usage, breakage or disrepair, will be identified to the LEPC for their recommendation on salvage or disposal.

ARTICLE IX: MEMBERSHIP CHANGES

SECTION 1 - LEPC Membership Changes.

At the end of its two year term, the LEPC shall, after reconciling the LEPC records, prepare a financial accounting for its two year term of office. This accounting shall include fund balance, funds received, funds expended, durable items purchased and the ending balance.

ARTICLE XI: PARLIAMENTARY AUTHORITY

SECTION 1 - Rules of Order.

The rules contained in Roberts Rules of Order shall govern the LEPC and all standing and Ad Hoc Committees.

ARTICLE XII: AMENDMENTS

SECTION 1 - Amendment of By-Laws.

Any LEPC member shall have the right to comment on or suggest revisions to the By-Laws. The member will make his or her request in writing to the LEPC Secretary, a minimum of seventy-two (72) hours prior to the meeting, stating the portion(s) of the document which he or she wishes to discuss.

The LEPC shall have the power to amend the By-Laws in the following manner. Written notice containing the proposed amendment(s) shall be sent to each member of the LEPC at least thirty (30) days in advance of the date set for voting on the amendment(s).

Ballots will be provided to each member of the LEPC who shall return their ballot either by mail or in person to the Chairperson, Vice Chairperson or Secretary on or before the date set in the written notice. To be approved, Amendments must receive a two-thirds (2/3) majority vote of the ballots received.

This document, and all proposed amendments to this document, shall be provided to the County Prosecutor for review and comments a minimum of thirty (30) days prior to the date set for LEPC vote.

THIS DOCUMENT, THE CONSTITUTION AND BY-LAWS OF THE BUCKEYE COUNTY LOCAL EMERGENCY PLANNING LEPC, ADOPTED AT THE REGULAR MEETING OF THE LEPC ON THIS ____ DAY OF _____, 19__.

LEPC CHAIRPERSON

PRESIDENT, COUNTY COMMISSIONERS

DATE SIGNED

DATE SIGNED

Approved as to form:

County Prosecuting Attorney Date Signed

GUIDELINES FOR BETTER MEETINGS

“Business is business,” this theme is contained in a 101 level course in Business Administration and its meaning holds true whenever a group of people meet to conduct business regardless of its nature.

The LEPC has many tasks it must perform, the members are volunteers, their time is valuable and to be successful the LEPC must operate in a businesslike manner.

The following guidelines are presented for your information and consideration.

******* BEFORE THE MEETING *******

- Have a specific purpose/objective for each meeting
- Identify topics and material to be covered
- Invite key people, guest speakers/presentors
- Establish an appropriate time frame
- Prepare an agenda**
- Notify membership of meeting and distribute agenda (early)
- Make logistical arrangements - space, seating, audio/video etc.

******* AT THE BEGINNING OF THE MEETING *******

- Start on time
- Clarify the purpose/objective of the meeting
- Introduce guests or new personnel
- Clarify ground rules, i.e. one topic/speaker at a time, etc.
- Establish time objective

******* DURING THE MEETING *******

- Make an opening statement, review minutes of last meeting
- Focus on one agenda item at a time, keep the meeting on track
- Collect and clarify relevant information
- Maintain control over time and discussions
- Record ideas and action items
- Summarize information discussed
- Reach agreement on specified decisions and actions

******* AT THE END OF THE MEETING *******

- Review action items and responsibilities (who will do what, when)
- Summarize and set follow-up date(s)

******* AFTER THE MEETING *******

- Prepare minutes and/or follow-up correspondence if necessary
- Follow-up on action items
- Ask yourself, “What went well?” “What could be improved?”

GUIDELINES FOR BEING A BETTER PARTICIPANT

The LEPC consists of individuals that represent various types of agencies, departments, organizations, groups or occupations within the planning district (County). The members must represent their constituents in all LEPC activities and must provide a channel of information and coordination.

The LEPC's leadership and secretary are responsible for the organization of the LEPC's meetings, including preparing the agenda, providing the membership with timely meeting announcements and minutes of the last meeting.

NOTE: The agenda for the next meeting, along with the minutes of the last meeting, should be provided each member of the LEPC a minimum of 7-10 days before the meeting. This will give the member an opportunity to prepare for the upcoming meeting.

The following guidelines outline actions *each individual member* should consider in order to become a better informed and more productive participant in the activities of the committee.

******* BEFORE THE MEETING *******

- Review the agenda items, clarify the purpose of the meeting
- Consider your input in regards to agenda items
- Gather/prepare any materials/information you may need
- Arrange material to present in a clear and concise manner
- Take writing materials with you to the meeting

******* DURING THE MEETING *******

- Arrive on time
- Be seated and ready to go at start time
- Participate in discussions and activities
- Listen
- Stay on the subject being presented
- Present your information and ideas clearly/concisely
- Avoid side conversations, pay attention, be polite
- Takes your notes, don't rely on the minutes

******* AT THE END OF THE MEETING *******

- Clarify items requiring your actions
- Ask yourself, "Did I represent my constituents?"

LIST OF LEGISLATION, REGULATIONS, PUBLICATIONS, & OTHER MATERIALS

LEGISLATION AND REGULATIONS

Federal

1. Superfund Amendments and Reauthorization Act of 1986. Titles I and III.
2. Comprehensive Environmental Response Compensation Liability Act of 1980 (Superfund).
3. Occupational Safety and Health Administration Standards.
4. Clean Water/Federal Water Pollution Control Act, PL95-2F1.
5. Hazardous Materials Transportation Act, PL93-633 (As amended).
6. Oil Pollution Act of 1980 (As amended).
7. Clean Air Act
8. Toxic Substance Control Act (TSCA)
9. Resource Conservation and Recovery Act of 1976 (RCRA)

State

1. Ohio Revised Code, Chapter 3750 (Emergency Planning).
2. Ohio Revised Code 5502.38 (Effects of SARA on EMA).
3. Ohio Revised Code 3745.13 (Cost Recovery).
4. Ohio Revised Code 3737.90 (Incident Command).
5. Ohio Administrative Code 3750 (Rules for Chapter 3750, ORC).
6. Ohio Revised Memorandum of Understanding for Response to Hazardous Materials Incidents, June 1988.

Regional and/or Local

Must be identified by local LEPCs. These are local and regional laws and ordinances pertaining to hazardous material response and/or planning passed by the City or County.

PUBLICATIONS AND OTHER MATERIALS

1. General. There are a great many sources of references for the SARA Title III Program. This attachment provides a listing of references and also notes the Agency responsible to publish the references.
2. Listing of References. The references on the next two pages are but a portion of materials that are available from various private or governmental sources. This list was developed from listings published by USEPA and FEMA. The Committee should develop its own listing of publications, documents, audio-visual materials, etc.

REFERENCE NR (IF ANY)	TITLE OF REFERENCE	REF DATE	PUBLISHED BY	REFERENCE LOCATION
<u>State Published/Provided:</u>				
ORC 3750	Chap 3750, ORC - Emergency Planning	1994	OH SERC	EMA/LEPC
OAC	OH Administrative Code (3750 Rules)	1994	OH SERC	EMA/LEPA
--	HM Planning and Exercise Guidance	1997	OH EMA	EMA/LEPC
--	OH HM Plan Development & Evaluation	1995	OH EMA	EMA/LEPC
HM Plan	HM Emergency Management Plan w/ch 1	1996	OH EMA	EMA Office
--	SERC HM Plan Review Criteria	1990	OH EMA	EMA/LEPC
--	LEPC Exercise Notice	1997	OH EMA	EMA/LEPC
Reporting	Emergency Planning & Community R-T-K	**	OH SERC	
	Annual Reporting Booklets	**		
	1 - For Gasoline Service Sta	**		
	2 - All Others	**		
	3 - Inst for Oil/Gas Extraction Sites	**		
Grant	SERC Grant Instructions/Applications	**	OH EPALEPC	
Pubs/Maps	List of Publications and Maps	1990	ODNR	EMA
--	1992 Ohio Census	1992	State	EMA
EAS	State Emergency Alert System Plan	1997	OH EMA	EMA
--	HM Analysis - ARCHIE Vs 1.00 (Include Manual, Examples and Computer Disc)	1987	OH EMA	EMA
--	Hazmat Training Courses (Listing)	**	OH SFM	EMA/FDs
--	Infectious Waste Spills	1991	OH EPA	
APP B	SERC Sample Hazmat Annex to Cty EOP	1993	OH EMA	

** = Published Annually

Federal Documents:

--	Handbook of Chemical Hazard Analysis Procedures	1987	FEMA	EMA/LEPC
--	Technical Guidance for Hazards Analysis (Emergency Planning for EHS)	1987	FEMA	EMA/LEPC
EPA 230	Risk Communication About Chemicals in Your Community (For Local Officials)	1989	USEPA	EMA/LEPC
CPG 1-5	Objectives for Local Emer Management	1995	FEMA	EMA
CPG 1-20	Emergency Operating Centers Handbook	1984	FEMA	
	Exercise Design Course (3 Workbooks)	1989	FEMA	EMA
SM 170.1	Student Workbook	1989	FEMA	
SM 170.2	Guide to Emergency Management Exer	1989	FEMA	
SM 170.3	Exercise Scenarios	1989	FEMA	
NRT-1	HM Emergency Planning Guide	1987	NRT/FEMA	EMA/LEPC
NRT-2	Developing a HM Exercise Program	1990	NRT/FEMA	EMA/LEPC
--	Preparedness for HM Emergencies in Railyards	1991	FEMA	EMA/LEPC
--	A Guide for Emergency Highway Traffic Regulation	1988	FEMA	USDOT
CPG 1-6	Disaster Operations Handbook	1972	FEMA	EMA
SLG 101	Guide for All-Hazard Emergency Operations Planning	1996	FEMA	EMA

REFERENCE NR (IF ANY)	TITLE OF REFERENCE	REF DATE	PUBLISHED BY	REFERENCE LOCATION
FEMA's	<u>Hazardous Materials Topics and Workshops</u> (1993 thru 1995)			
305.1	Risk Communication			
305.2	Hazardous Materials Information Management			
305.3	Risk Analysis			
305.4	Exercising Emergency Plans under Title III			
305.5	Alert and Notification			
305.6	Overview of the Incident Command System			
305.7	Community Awareness and Community Right-To-Know			
305.8	Hazardous Materials Workshop for EMS Providers			
305.9	Hazardous Materials Workshop for Law Enforcement			
305.10	Facility Coordinator's Role and the LEPC			
305.11	An Overview of Liability in Emergency Response			
305.12	The National Response System and Local Response			
305.13	Media Issues in Hazardous Materials Incidents			
305.14	Hazardous Materials Response Teams			
305.15	Evacuation and In-Place Protection			
305.16	Hazardous Materials Workshop for Hospital Staff			

NOTE: This series comes with an Instructor's Guide and Student Workbook and is intended to be taught by local qualified instructors. All materials are free and the LEPC simply needs to request the materials from OH EMA or FEMA direct.

Recommend each LEPC obtain one of each, Instructor's Guide and Student Workbook of every workshop for the LEPC's training reference library.

Other Reference Materials:

OAG 91-014	OH AG Opinion No. 91-014 (LEPC Mbr Immunity from Criminal Prosecutions)	1991	OH AG	EMA/LEPC
- -	Your Community Could Have a Disaster	1990	ARC	EMA/LEPC
- -	Emergency Response Directory (Rept Notification of Spills etc.)	1991	ORSANCO	EMA/LEPC &

THE LEPC RECOGNITION AWARD

The following ten (10) areas are used by the SERC to determine if LEPCs qualify for the annual award.

1. **LEPC MEMBERSHIP**: LEPCs must have a current membership listing, with a minimum of twelve positions filled, on file with the SERC. (Term - August 17 to August 16 of the odd numbered years)
2. **LEPC DESIGNATED OFFICERS**: In accordance with ORC 3750.03(D)(1) the LEPC must identify the Committee Chairperson, Vice-Chairperson and LEPC Secretary.
3. **HAZARDOUS MATERIALS PLAN**: The District Hazardous Materials Plan must (1) be submitted annually by October 17th., complete with a letter from the LEPC requesting the annual review and including a copy of the LEPC's Resolution stating that the membership concurs, and (2) be concurred with.
4. **LEPC DESIGNATED COMMUNITY EMERGENCY COORDINATOR**: The LEPC must have designated a Community Emergency Coordinator to the SERC.
5. **LEPC DESIGNATED INFORMATION COORDINATOR**: The LEPC must have designated the District Information Coordinator to the SERC.
6. **LEPC BY-LAWS**: The LEPC must have completed, and adopted, Committee By-Laws and submitted a copy to the SERC with proof of adoption by the LEPC.
7. **CONDUCT LEPC MEETINGS**: The LEPC must conduct regularly scheduled meetings, a minimum of one meeting annually.
8. **HAZARDOUS MATERIALS EXERCISE**: The LEPC must have a Concurred with Exercise, or exercise credit for an actual occurrence, annually. (Exercise year is July 1 to June 30th annually)
9. **LEPC COMPLIANCE PROGRAM**: The LEPC must establish, and carry-out, a compliance and enforcement program in accordance with ORC 3750.03(D)(6). (An annual compliance report covering the period July 1 - June 30 must be submitted to SERC on or before October 1st).
10. **FISCAL ACTIVITY STATUS REPORTS**: The LEPC must submit the SERC Grant Financial Reports, these are semi-annual fiscal activity reports which cover the periods Jan 1 - Jun 30 and Jul 1 - Dec 31 annually. These reports are due to SERC (OEPA's Right -To-Know Office) in July and January annually.

ARCHIE AND CAMEO COMPUTER SOFTWARE

General

There are many software programs that can be used for chemical hazard analysis. These programs vary in complexity and cost, but there are two programs which were developed by FEMA and the USEPA to specially support the SARA Title III Program. The first program is ARCHIE and the second is actually a set of four separate programs, commonly called CAMEO which consist of: CAMEO, MARPLOT, ALOHA and SITE PLAN VIEWER.

ARCHIE

ARCHIE stands for Automated Resource for Chemical Hazard Incident Evaluation (ARCHIE). The primary purpose of the program is to provide planners and emergency personnel a tool to model vapor dispersions and fire/explosion impacts associated with chemical releases.

The program includes methods to estimate the discharge rate of a liquid or gas from a tank or pipeline, to estimate the size and evaporation rates of liquid pools, to evaluate the concentrations of vapors in the air that are either toxic or flammable and to evaluate the consequences of fires and explosions from vapor clouds or tank over-pressurization's, etc.

The model addresses only relatively pure substances and requires the user to input the information about each chemical to be evaluated. The needed data can typically be found on any well-written MSDS. This model uses a more detailed modeling technique than the simplistic approach used in the "Green Book".

The most current version of the program is the original version, version 1.0. This Dos-driven program was developed for and distributed by FEMA. Locally, the Ohio EMA distributed copies of this program to every Ohio LEPC in 1990. The program is supported by a manual titled, "Handbook of Chemical Hazard Analysis Procedures" (aka, the "Brown Book"). The Brown Book's Chapter 12 and Appendix E explain what the program is about and how to install it. There is no cost associated with obtaining the program and limited copies of the disc are available through OH EMA.

CAMEO, MARPLOT, ALOHA AND SITE PLAN VIEWER

CAMEO stands for Computer-Aided Management of Emergency Operations. Its purpose is to assist planners, emergency responders, and facilities to manage data in preparation for a chemical incident. CAMEO is basically a large database to store and search for information on chemicals, reporting facilities, resources, population centers, transportation routes, release scenarios and incidents.

The program comes pre-programmed with detailed information on over 4300 chemicals. Also, the program includes an airborne model to estimate how far a given concentration of gas could travel downwind. The dispersion model is taken from the handbook titled the "Technical Guidance for Hazard Analysis" (aka "the Green Book").

MARPLOT stands for Mapping operations for Response, Planning and Local Operational Tasks. This is a general purpose mapping application much like a Geographic Information System (GIS). The program allows individuals to view, create, and modify data (such as roads, rivers, facilities, schools, floor plans, etc.) which is presented on a two-dimensional map.

The maps are generated from data gathered in "Tiger Files" which were generated by the U.S. Census Bureau. The program can show an individual County map or multiple County and State maps.

ALOHA stands for Areal Locations of Hazardous Atmospheres. This program is an air dispersion model used to estimate the rates at which chemical vapors may escape and move downwind. Personnel can use this for both hazard analysis pre-planning and response operations. It's chemical library contains over 900 hazardous chemicals. It can estimate and show downwind distances vapors may travel, identify the likely concentrations at various distances, both indoors and outdoors, and identify dose rates at those distances. The program is also designed to receive and use real-time weather conditions from a portable meteorological monitoring station.

SITE PLAN VIEWER. Comes with the CAMEO program and provides the user the ability to view and manipulate the site plans of the chemical facilities.

The "CAMEO" programs were originally developed by the USEPA and NOAA. Each program works on either a Window-based or MacIntosh type computer. The programs are also specially designed to share information between each other. Currently, the National Safety Council (NSC) distributes, updates, and provides technical assistance for the program with help from the USEPA. They maintain a web-site (www.nsc.org) to permit users to obtain free updates and information about the programs. Free copies of these program were distributed to each Ohio LEPC in 1997. Otherwise, the program can be purchased from the NSC for a small cost. For more information on these programs, call 1-800-99-CAMEO or the Ohio EMA (614) 799-3679 or 3683.

Summary

As noted, there are many computer programs designed to assist LEPCs. The above programs are the most widely used in Ohio. Each LEPC should explore what other programs could be used to support their preparedness and response operations. For example, the Emergency Information System (EIS) is a multi-faced program which does many of the same functions as the CAMEO set of programs. Also, the PlanAhead program was designed to assist LEPCs in developing disaster exercises. Therefore, LEPCs need to review what is available and decide which programs would best suit their needs.